



Doing Business in Burma

2012 Country Commercial Guide for U.S. Companies

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- [Chapter 1: Doing Business in Burma](#)
- [Chapter 2: Political and Economic Environment](#)
- [Chapter 3: Selling U.S. Products and Services](#)
- [Chapter 4: Leading Sectors for U.S. Export and Investment](#)
- [Chapter 5: Trade Regulations and Standards](#)
- [Chapter 6: Investment Climate](#)
- [Chapter 7: Trade and Project Financing](#)
- [Chapter 8: Business Travel](#)
- [Chapter 9: Contacts, Market Research, and Trade Events](#)
- [Chapter 10: Guide to Our Services](#)

[Return to table of contents](#)

Chapter 1: Doing Business in Burma

- [Market Overview](#)
- [Market Challenges](#)
- [Market Opportunities](#)
- [Market Entry Strategy](#)

Market Overview

[Return to top](#)

At the beginning of 2012, Burma was virtually off limits to U.S. companies, but significant changes in 2011 and reforms including fairly free elections on April 1st showed were widely seen as concrete steps on the path to democracy. In the elections the opposition National League of Democracy (NLD) won 43 out of the 45 seats contested in parliament, making it the second largest party in the government, behind the Union Solidarity and Development Party (USDP), which is backed by the military. Aung San Suu Kyi, Nobel Peace Prize winner and head of the NLD, became a member of parliament for the first time.

Over the past two decades the U.S. had imposed an array of economic sanctions on Burma, including investment, bans on the importation of Burmese products into the U.S. and the export of financial services from the U.S. to Burma. Although U.S. exports to Burma (other than financial services) have been permitted, very little trade has flowed in that direction. In May President Obama and Secretary of State Clinton announced that the U.S. would ease certain financial and investment sanctions on Burma in response to the historic reforms that have taken place in that country over the past year. The U.S. Government has implemented changes to permit the first new U.S. investment in Burma in nearly 15 years, and to broadly authorize the exportation of financial services to Burma. Later in October, the U.S. Administration announced further easing of sanctions to allow Burmese exports to the U.S, excluding rubies and jadeite, and to allow international finance institutions to accept applications for finance. The easing of sanctions is part of a broader effort to help accelerate broad based economic growth and recognize and encourage political reform.

Nevertheless, poor policymaking, minimal rule of law, inadequate infrastructure, and a weak education system combine to hinder economic growth in Burma. Political intervention, corruption, and central state control continue to obstruct most economic sectors. The government is taking tentative steps to remove or amend restrictive trade and investment policies; however, it has yet to enact these changes through new legislation or make clear what regulations have changed or are still applicable. The government tightly controls all official trade in goods, extractive industries, sources of capital, educational institutions, movement of labor, and access to official information. The country's abundant natural resources, however, have kept production in the extractive sectors on a generally upward path – though far below potential. Production in historically strong sectors such as agriculture, fisheries, and forestry has been declining due to a combination of underinvestment, overexploitation and poor macroeconomic conditions including an exchange rate that has appreciated over 32 percent in nominal terms since March 2010.

A new Foreign Investment Law, submitted to parliament in July this year, could help make Burma more competitive with its neighbors and make it more attractive to foreign investors. The government hope western countries will invest heavily into Burma in the coming years, after two decades in which Thailand and China dominated FDI into Burma. Key provisions foreign investors will be watching for are those dealing with land leasing, joint-ventures with local companies, and 100% ownership by foreign companies.

Burma is largely an agricultural economy. Agriculture, livestock, fisheries, and forestry make up between 40-50 percent of GDP, and approximately 70 percent of Burma's population relies on these sectors for their livelihoods. Beans and pulses, rice, timber, and marine products are the primary agricultural exports. Burma's mining, oil and gas, and energy sectors also supply significant exports. Growth is picking up: the IMF estimates that GDP growth will be 5.5 percent in 2011/12 and rising to 6 percent in 2012/13, driven by commodity exports and higher investment, robust credit growth and improved business confidence.

- The manufacturing and service sectors remain undeveloped.
- The informal economy is very large and includes activities from currency trading to education to commodity trade.
- According to Burma's Central Statistical Organization (CSO) figures, Burma ran a trade surplus in 2010-2011 of \$2.2 billion. The largest export by value was natural gas (from two offshore foreign-operated production sites), followed by teak and hardwood, pulses and beans, marine products, garments, metals and ores, and various other agricultural products.
- Unrecorded and under-recorded border trade is very common along all of Burma's borders. The most commonly smuggled exports are (in no particular order): illicit narcotics, gems and jade, and timber. The most common smuggled imports are (in no particular order): consumer goods, medicines, vehicles and vehicle parts, electronics, fertilizer, and diesel fuel.
- Burma's major trading partners are Thailand, Singapore, China, India, Malaysia, Japan, and South Korea. In 2011, the United States did not import products from Burma and exported about 48.8 million worth of products to Burma, a 487 percent increase from 2010. The major U.S. exports to Burma were: electrical machinery, cereals, optical and medical instruments, vehicles, and other machinery and miscellaneous items.

Market Challenges

[Return to top](#)

The business climate is changing relatively quickly, with the EU and the United States easing sanctions, and the lifting of sanctions by Australia. Major obstacles remain, however, and even though there are new pledges by the government to improve the infrastructure, it will take years to marshal the investments that would yield significant improvements.

One major obstacle is obtaining accurate and relevant market and financial data. The stats for Burma's economy are difficult to verify, thus making it difficult to accurately predict future performance. Well educated and trained workers are scarce. Government ministers and their staffs are overwhelmed at the moment because of the spike in popularity and interest by foreign governments and companies. Reports indicate that there is simply too much going on, as thousands of business representatives flood the country and try to meet with government officials.

For a country that is in-line to assume the ASEAN chair in 2014, there are many difficult challenges ahead. Only time will tell if Burma is able to continue stand up to the demands and challenges or massive political and economic reform and responsibilities of leading ASEAN.

Despite the reforms and response from foreign governments, the current unstable business climate and international sanctions do not necessarily encourage economic engagement with Burma. The fact that sanctions have been suspended or eased and not lifted inhibits foreign investors from taking a long-term view. Most investors are also waiting to see the specifics of the new Foreign Investment Law and some sanctions remain in place, including the restriction to doing business with the military and restrictions on doing business with individuals and companies on the Specially Designated Nationals list, which is compiled and maintained by the U.S. Treasury Office of Foreign Assets Control. A sampling of the market challenges that Burma has begun to address, but needs to show significant progress includes:

- A bias in favor of government and quasi-government companies and other locally-owned privately businesses.
- Opaque and arbitrary policymaking, including frequent, unannounced and unwritten policy changes.
- Investments approved on a case-by-case basis.
- Weak rule of law and property rights
 - No independent judiciary and lack of legal transparency
 - Omnipresent corruption and cronyism
 - Weak or no protection of private real property and intellectual property
- Many non-tariff barriers, including official restrictions on most imports and exports.
- Arbitrary tax policies.
- A tiny financial sector and shallow domestic capital market.
- Continued unpredictability in electricity supply, especially areas outside Rangoon and other major cities.
- A weak educational system and increasingly unskilled work force.
- Poor infrastructure including communications and transportation networks
- A confusing albeit evolving system of exchange rates and foreign exchange controls.
- Relocation of the government to the administrative capital, Nay Pyi Taw.

Market Opportunities

[Return to top](#)

Due to U.S. sanctions and policy considerations the U.S. Embassy does not identify any market opportunities. U.S. businesses may consult with U.S and local-based professional services (see Local Professional Services below) to identify opportunities.

Because of the legal confines of U.S. sanctions law and the confusing nature of Burma's legal system, the Embassy strongly advises U.S. businesses to consult with local and U.S.-based attorneys and the Department of the Treasury's Office of Foreign Assets Control (OFAC) prior to engaging in any business in Burma. U.S. businesses should consult with U.S and local-based professional services (see Local Professional Services below) to determine the most appropriate strategies.

[Return to table of contents](#)

[Return to table of contents](#)

Chapter 2: Political and Economic Environment

For background information on the political and economic environment of the country, please click on the link below to the U.S. Department of State Background Notes.

- <http://www.state.gov/r/pa/ei/bgn/35910.htm>

[Return to table of contents](#)

Chapter 3: Selling U.S. Products and Services

- [Using an Agent or Distributor](#)
- [Establishing an Office](#)
- [Franchising](#)
- [Direct Marketing](#)
- [Joint Ventures/Licensing](#)
- [Selling to the Government](#)
- [Distribution and Sales Channels](#)
- [Selling Factors/Techniques](#)
- [Electronic Commerce](#)
- [Trade Promotion and Advertising Pricing](#)
- [Sales Service/Customer Support](#)
- [Protecting Your Intellectual Property](#)
- [Due Diligence](#)
- [Local Professional Services](#)
- [Web Resources](#)

Using an Agent or Distributor

[Return to top](#)

Because of the legal confines of U.S. sanctions law and the confusing nature of Burma's legal system, the Embassy strongly advises U.S. businesses to consult with local and U.S.-based attorneys and the U.S. Department of Treasury Office of Foreign Asset Controls (OFAC) prior to engaging in any business in Burma. Although based on legal traditions established under British colonial rule, many Burmese laws are arcane or not followed in practice. Contracts are generally respected, but members of the government, military and local business elite traditionally prevail in any legal disputes with foreign businesses.

Establishing an Office

[Return to top](#)

Although new investment in Burma by any U.S. person, as well as facilitation, management, or guarantee of another's investment in Burma is legal under the easing of sanctions, U.S. businesses are urged to consult with U.S. Treasury Office of Foreign Assets Control website, as well as local and U.S. based attorneys prior to investing in Burma.

Franchising

[Return to top](#)

Franchising is not expressly prohibited by Burmese law, but does not exist in Burma to any visible degree. Since until recently major multinational firms were not willing to do business in the country, only a few small regional companies operate local franchises, although there is strong interest among local businesspeople in franchising opportunities.

Direct Marketing

[Return to top](#)

Direct marketing in the form of multi-level marketing exists in Burma and is doing well despite some recent allegations of fraud against one company. However, business sources report that this sector is still fairly novel and small.

Joint Ventures/Licensing

[Return to top](#)

Although new investment through a joint venture or indirectly through ownership of shares of a third party in Burma by any U.S. person, as well as facilitation, management or guarantee of another's investment in Burma is legal under the easing of sanctions, U.S. businesses are urged to consult with local and U.S. based attorneys prior to investing in Burma. A new foreign investment law is under discussion and revision in the parliament, and is expected to introduce changes to the current investment regime.

Selling to the Government

[Return to top](#)

U.S. sanctions easing and policy considerations now allow selling to the Government of Burma, but there are restrictions and specific requirements under U.S. sanctions law and the confusing nature of Burma's legal system. The Embassy strongly advises U.S. businesses to consult with local and U.S.-based attorneys and the U.S. Department of Treasury Office of Foreign Asset Controls (OFAC) prior to engaging in any business dealings with the Government of Burma. Although based on legal traditions established under British colonial rule, many Burmese laws are arcane or not followed in practice. Contracts are generally respected, but members of the government and local business elite traditionally prevail in any legal disputes with foreign businesses.

Distribution and Sales Channels

[Return to top](#)

Rangoon's (Yangon) inner ports/wharves handle 90-100 percent of the country's official merchandise imports and exports (excluding oil and gas). Total container throughput in Yangon in 2008-09 was 280,400 TEUs, 303,410 TEUs in 2009-2010 and 346,642 in 2010-2011. Port facility expansion projects, which would significantly increase capacity, are in progress. Rangoon is the major distribution center for goods imported by sea and air, and for lower Burma in particular. Mandalay serves as the hub for distribution for upper Burma, and especially for goods imported by land from China and Thailand.

Selling Factors/Techniques

[Return to top](#)

Electronic Commerce

[Return to top](#)

Electronic commerce is in its infancy here and is not yet a major factor in most business relations, although there have been initial attempts to establish an online presence for real estate and car sales, for example. E-mail and the Internet are mostly available in urban areas of the country, but are unreliable and generally very slow. The government closely monitors – and

continues to censor - some electronic communications, including by blocking access to certain websites. However, during 2011 the government increased access to online information.

Trade Promotion and Advertising

[Return to top](#)

U.S. companies or persons should consult the Department of the Treasury's Office of Foreign Assets Control (OFAC) before engaging in advertising activities.

Below is a partial list of web links to local newspapers, trade publications, trade promotion organizations, radio and television broadcasters, as well as contact information for a number of advertising and marketing companies. The U.S. Embassy in Rangoon assumes no responsibility for the professional ability or integrity of the persons and companies whose names appear in the following list in alphabetical order.

<http://7daynewsjournal.com/>
<http://drlunsw.blogspot.com/>
<http://eversion.news-eleven.com/>
<http://thevoicemyanmar.com/>
<http://www.commerce.gov.mm>
<http://www.first-11.com/>
<http://forevergroupmyanmar.com/en/>
<http://www.mcpt.gov.mm/>
<http://www.mmtimes.com/>
<http://www.mmtimes.com/>
<http://www.mrtv3.net.mm/>
<http://www.mrtv4.net.mm/>
<http://www.myanmar.com/finance/>
<http://www.myanmar.com/newspaper/kyaymon>
<http://www.myanmar-business.org>
<http://www.myanmarvisa.com/flowernews/index.htm>
<http://www.myanmarvisa.com/newsletter.htm>
<http://www.padamyarfm.com/>
http://www.sstmyanmar.com/tourism/Interest/Myanmar_TV.htm
<http://www.theyangontimes.com/>
<http://www.umfcci.com.mm>

Forever Group Co. Ltd.
MRTV-4, Pyay Road, Yangon, Myanmar.
Phone: 95-1-535841, 534760, 505158, 505164
Email: forevergroup@mtpmail.net.mm
Website: <http://www.forevergroupmyanmar.com>

Mango Marketing Services Company Ltd.
No. 51.C, Golden Valley Street, Golden Valley Ward 2, Bahan Tsp,
Yangon, Myanmar.
Phone: 95-1-512884, 95-1-523338, 95-1-73036367

Fax: 95-1-512884
E-mail: info@mango.com.mm
Website: <http://www.mangoagency.com>

Myanmar Spa Today Far East Advertising
No. 59, Hlaing Myintmo Lane 2,
Kan Raod, Hlaing Township, Yangon
Myanmar
Phone: 95-1-507102, 95-1-513610
Fax: 95-1-507102
Email: mstf@mptmail.net.mm

River Orchid Myanmar Co., Ltd
No. 17 (B/1) Tharyawaddy St.,
Bahan, Yangon
Myanmar
Phone: 95-1-540887
Email: robert@riverorchid.com

SAIL Marketing & Communications
403 Danathia Center
790 Bogyoke Aung San Road
Yangon, Myanmar
Phone: 95-1-211870, 95-1-227243 Ext.403
Email: admin@advertising-myanmar.com
Website: [www.advertising-myanmar.com /](http://www.advertising-myanmar.com/)

TODAY ADVERTISING LTD
Today Group of Companies
Building H, Kan Yeik Mon Housing Estate
Yangon, Myanmar
Phone: 95-1-507391, 95-1-507392, 95-1-507385
Email: today@today.com.mm
Website: <http://www.todaygroup.com.mm>

Golden Myanmar Information & Advertising Ltd.
122, 1st Floor, 40th Street, Kyauk Tada Tsp
Yangon, Myanmar
Phone: 95-1-392637, 95-1-374283
Email: gima@businessmyanmar.com.mm

Innova Advertising Co.Ltd
No.16-E, Airport Avenue Street 1, Insein Township
Yangon, Myanmar
Phone: 95-1-662951
Email: innova.advertising@gmail.com

Kyaw Advertising
No. 192, 28th Street, Pabetan Township
Yangon, Myanmar
Phone: 95-1-594366
Email: sales@kyawadvertising.com

Medialane
58B, Myanma Gon Yaung Housing
Than Thu Mar Road
Tamwe Township, Yangon, Myanmar
Phone: 95-1-430897, 95-1-553918
Website: <http://www.medialane.com.au>

World Wide
No.155, 34th street, 1st floor
Kyauktada Township, Yangon, Myanmar
Phone: 95-1-241094
Email: hl7508@gmail.com

ZOMIA Media Co.,Ltd.
No.219, 4th Flr., Bo Myat Tun Street
Botahtaung Township, Yangon, Myanmar
Phone: 95-1-295515, 95-1-397192
Email: Zomia.media@myanmar.com.mm

Pricing

[Return to top](#)

Pricing is not standardized or effectively controlled. Prices in the private sector depend on fluctuating exchange rates and the irregular availability of consumer goods transported from China, Thailand, Singapore, and other regional centers.

The Government of Burma (GOB) has moved to end subsidies for gasoline, diesel and propane, thereby squeezing the black market sale of these goods. In two separate phases during January and February 2012 the GOB increased the price of gasoline by over 36 percent. It also increased electricity prices by 40 – 50 percent beginning January 1 in order to stem government losses from subsidized rates.

Prices in Burma include a 10 percent commercial tax that varies depending on the kind of business (see Chapter Five, Import Tariffs).

Sales Service/Customer Support

[Return to top](#)

Aftermarket service and support is generally available for appliances purchased from reputable dealers who have imported these products legally. Illegally imported products of all kinds come daily into Burma and are far cheaper than their legal counterparts, though no warranty or support is included. Although there are no 100 percent foreign-owned auto dealerships, several

foreign automobile manufacturers have service centers in Rangoon: Toyota (one), Honda (one), and Suzuki (five). Due to strict control of imports of vehicles and spare parts, many spare parts (for all mechanical and electrical products, especially non-Asian brands) are difficult to find. Car owners usually repair their cars at local workshops using second-hand parts.

Customer service in Burma is generally positive in the private sector but lacking by international standards. Some workers, particularly at state-run companies, have a lackadaisical work ethic and are uncomfortable operating without clearly defined procedures or rules. It is difficult to find and retain skilled or motivated staff, and stores rarely allow refunds or returns.

Protecting Your Intellectual Property

[Return to top](#)

See Chapter 6, [Protection of Property Rights](#) for more details.

Burma has inadequate IPR protection. Patent, trademark, and copyright laws and regulations are all deficient. The GOB has completed the draft of a new IPR law, but has not yet submitted it to Parliament for approval. Under a 2005 World Trade Organization (WTO) decision, Burma has until 2013 for implementation.

Piracy of music CDs, VCDs, CD-ROMS, DVDs, books, and software, and occurs nationwide, particularly in border regions and the major urban centers of Mandalay and Rangoon. Most consumers of IT products, both private sector and governmental, use pirated software. Burma has no trademark law, though trademark registration is possible. While a Copyright Act was promulgated in 1914, no subsequent government instituted any means to register a copyright. There is thus no legal protection in Burma for foreign copyrights.

Due Diligence

[Return to top](#)

U.S. companies should consult with both U.S.-and locally-based lawyers to ensure compliance with both U.S. and Burmese laws prior to engaging in exports of goods and services (and related activities) which are allowable under current U.S. sanctions.

Local Professional Services

[Return to top](#)

There are relatively few business consultancies, inspection, legal, accounting and research firms in Rangoon. The U.S. Embassy in Rangoon assumes no responsibility for the professional ability or integrity of the persons and companies whose names appear in the following list in alphabetical order.

Focus Consulting Group Co. Ltd
180, 1st Floor, Botahtaung Pagoda Road
Taw Win Myanmar Condo, Pazundaung
Yangon, Myanmar
Phone: 95-1-297249
Email: focusconsultinggroup@gmail.com

Golden Gate World Service Co. Ltd
Room 105, Bldg 4, Kyi Taw Housing
Upper Pazundaung Road. Mingala Town Nyunt Township
Yangon, Myanmar.
Phone: 95-1-200618
Email: goldengateworld2010@gmail.com

JF Group Audit Firm
33-49 Maha Bandoola Garden Street
Room 503, 5th floor, Shine Tower
Phone: 95-1-377822
Email: wantin2008@gmail.com

Kelvin China Yangon Ltd.
339 (Rm 1509), 15th Floor, Sakura Tower
Bogyoke Aung San Road, Yangon, Myanmar
Phone: 95-1-255399
Email: csw@kcyagon.com

Khin Su Htwe and Associate
Room-005, Bldg. No. C-1, Ground Flr,
Hnin Si Street, Yuzana High Way Complex
Kamayut Taungship, Yangon.
Phone: 95-1-700659, 95-1-701225
Email: uhl@myanmar.com.mm

Laurel Law Firm
No.128, 1st Floor, 41st Street
Botahtaung Township, Yangon
Myanmar
Phone: 95-1-245784
Email: koni.laurel@gmail.com

MMRD Research
Shwe Pyay Sone Market
Above Pyay Sone Win Naing Show Room
Building No.6, 6 to 9 floor
Corner of Set Yone Road and Ba Nya Da La Road
Yangon, Myanmar
Phone: 95-1-200326, 200846
Email: gm@mmdrs.com
Website: <http://www.mmdrs.com>

MYANMAR LEGAL SERVICES LIMITED
Room No. # 117, Inya Lake Hotel, No. 37 Kabar Aye Pagoda Road
Yankin Township, Yangon, Myanmar
Phone: 95-1-662-866 Ext. 1117
Email: MyanmarLegal@mptmail.net.mm

Website: <http://www.myanmarlegasservices.com>

Myanmar Plantation Resources Consultancy Group (MPR)
No.1131, Pyidaungsu Road, Block 45, North Dagon Myo Thit
Yangon, Myanmar.
Phone: 95-1-584238
Email: hmuomt@mptmail.net.mm

Myanmar Vigour
0502 Level 5, Sakura Tower
339 Bogyoke Aung San Street, Kyauktada Tsp. Yangon, Myanmar
Phone: 95-1-255-407, 95-1-255055;
Fax: 95-1-255-100
Email: global.myanmar@mptmailnet.mm

Ngwe Inzaly Accounting Auditing & Consultancy Services
No. 141-145, 4th Floor,
Bo Aung Kyaw Street. Myanmar
Phone: 95-1- 245801, 95-1-249526
Email: NGWEINZALY@mptmail.net.mm

Ohk Hla Thitsar Co. Ltd
No.60, 2nd Floor, Corner of Yangon-Insein Road and
San Yeik Nyein 5th Road, Kamayut, Yangon, Myanmar
Phone: 95-1-249118
Email: kyithasoe@gmail.com

SGS (Myanmar Ltd)
79/80 Bahosi Housing Complex
Wardan Street, Lanmadaw Tsp.
Yangon, Myanmar
Phone: 95-1-211549, 95-1-220225, 95-1-211537, 95-1-211547
Email: sgsmyanmar@sgs.com; sgs_yangon@mptmail.net.mm

Thura Swiss Ltd.
Shwe Hintar B 307
6 ½ Mile Pyay Road
11 Qtr. Hlaing Township
Yangon, Myanmar
Phone: 95-1-654 730, 95-1-654-731
Fax: 95-1-654-733
Email: info@thuraswiss.com
Website: <http://www.thuraswiss.com>

U Nyunt Tin and Associates
Intellectual Property Law Firm
No. 83/84 Pansodan Street.
Yangon, Myanmar

Tel: 95-1- 375754
Email: ipmyanmar@myanmar.com.mm

U Hla Tun and Associates Ltd.
64 (B) First Floor, Shwe Gon Dine Plaza
Ko Min Ko Chin Road. Yangon. Myanmar.
Phone: 95-1-541495, 95-1-554351
Email: hlatuncpa@gmail.com

U Min Sein and Associates
189-195, Pasodan Office, 7th Floor
Pansodan Street.
Yangon, Myanmar.
Phone: 95-1- 253273, 95-1-391528
Email: uminsein@mptmail.net.mm

U Mya Thein & Associates
9-A Nawarat Lane, 8 mile, Mayangone.
Yangon, Myanmar.
Phone: 95-1-665908
Email: Theinumya5@gmail.com

Win Thin Consultant Ltd.
182-194, 1st floor, Hnin Si Condo
Botahtaung Pagoda Road
Yangon, Myanmar
Phone: 95-1-201-798, 95-1-296-164
Email: winthin9@myanmar.com.mm; winconsult@myanmar.com.mm

Web Resources

[Return to top](#)

The U.S. Embassy in Rangoon assumes no responsibility for the accuracy of the information on these websites, or the professional ability or integrity of the persons and companies whose names are advertised on these websites.

<http://www.etrademyanmar.com/>
<http://www.umfcci.com.mm/>
<http://www.myanmar.com/>
<http://www.mofa.gov.mm/>
<http://www.moha.gov.mm/>
<http://www.commerce.gov.mm/>
<http://www.construction.gov.mm/>
<http://www.myancoop.gov.mm/>
<http://www.energy.gov.mm/>
<http://www.mora.gov.mm/>
<http://www.myanmar.gov.mm/ministry/MSWRR/main.htm>
<http://www.livestock-fisheries.gov.mm>
<http://www.moai.gov.mm/>

<http://www.hotel-tourism.gov.mm/>
<http://www.myanmar.gov.mm/PBNRDA/><http://www.myanmar-education.edu.mm>
<http://www.moh.gov.mm>
<http://www.myanmar.com/Ministry/culture/>
<http://www.csostat.gov.mm/>
<http://www.mpt.net.mm>
<http://www.myanmar.com/finance/>
<http://www.myanmar.com/Ministry/Forest/>
<http://www.myanmar.com/Ministry/imm&popu/>
<http://www.yangoncity.com.mm/>

[Return to table of contents](#)

[Return to table of contents](#)

Chapter 4: Leading Sectors for U.S. Export and Investment

In the first half of 2012, Burma has begun the official importation of many more products. Key product areas that show promise for U.S. exporters include steel, electrical and medical equipment, tires, chemicals, computers, textiles, garments, fertilizers, construction materials, plastics, processed food, and medicine. All of these sectors should continue to grow as the number of roads, hospitals, supermarkets, and hotels continues to rise. Some more general key areas for investment or export are listed below:

Industry Analysis

Agriculture

As Burma accelerates the reform of its agriculture industry it is implementing new policies to facilitate this cornerstone of its economy. At the end of June 2012, the Ministry of Finance and Revenue announced that imports of agriculture related products would be tax-exempt for the next nine months. The exemption officially started on July 1, 2012, and terminates on March 31, 2013. Farming equipment, machinery, fertilizer, and pesticides are all included.

Autos

The Auto market in Burma is set to skyrocket in the next decade as FDI flows in and infrastructure projects are ratcheted up. This could be a big opportunity for U.S. automakers. Another factor that may encourage U.S. automakers is an announcement by the Ministry of Rail Transportation that the tax rate on imported cars will be reduced by 40%-60%. This was reported in the state-run newspaper, *The New Light of Myanmar*, on June 16, 2012. The Ministry of Commerce stated that this was specifically aimed at reducing the cost of importing newer vehicles.

Commercial Banking

Burma is primarily a cash-based economy, due to the scarcity of commercial banks in the country. However, the government is reportedly in talks with VISA and MasterCard to help establish the use of credit cards in the country.

Although foreign banks are not currently allowed to enter Burma, the government has indicated that foreign banks may be allowed to enter the country in 2015, as long as it's as part of a joint venture with a local bank.

Food & Drink

Burma's poor infrastructure severely negatively affects efficiency and quality of the processed foods industry. New policies are set to be implemented to help foster foreign investment, helping to facilitate much needed technology transfer in this basic sector of the economy. The agriculture sector is also expected to be the beneficiary of a major

influx of foreign investment, hopefully providing essential improvements to this sector that is so important to the Burmese people. Experts think Burma eventually can be a net exporter of staple and other foods to their Asian neighbors, with fertile land and a large unskilled labor force to take advantage of.

Pepsi and Coca-Cola has recently announced they will enter the country soon. They said they will open up a production facility and begin to set up their distribution system as soon as possible. Thailand's Singha beer is planning large scale exports to Burma as well.

Power Generation

A huge problem in Burma right now is the electricity shortage that is faced all over the country. Up to 75% of the general population is without continuous electrical power service in their homes. This is especially true in the summer months and has led to civil protests or candle light vigils. There are ongoing disruptions to the power grid due to insurgent attacks or events like a recent mine blast from the Kaichin Independent Army.

Most of Burma's larger cities are located far from the 20 hydro power plants in the country, so the government has shifted its priorities and asked foreign firms to assist with thermal power plants. J-Power Co of Japan has agreed to build a 600 megawatt coal-fired plant near the city of Yangon. The Ministry of Electric Power has also stated its desire to work with General Electric and Caterpillar to increase the country's power production. South Korea's BKB has announced plans to build a 500 megawatt gas-fired plant as well. Caterpillar has agreed to bring six 2MW generators, and GE is to provide two 25MW gas turbines.

HealthCare

There are more than 900 public health care facilities in Burma, but the quality of the healthcare is very poor, and because of the shortage of equipment and medicine, the Burmese people are among the unhealthiest in the world.

Mining

Burma has a massive amount of untouched mineral reserves and western companies are clamoring to enter this market. Some key minerals in Burma are: cement, coal, copper, lead, natural gas, petroleum, petroleum products, precious and semiprecious stones, tin, tungsten, and zinc.

Oil & Gas

While the prospects for large oil discoveries in Burma are low, there is a lot of excitement about the gas supply. Current production of gas is around 1,100 mmcf/d, most of that is from offshore production. A significant amount of this gas is exported to Thailand. New pipelines are under construction to China and Thailand. Approximately 35% of Burma's export revenue comes from gas sales, and they would like to attract companies to invest in this sector. From March to June of this year, 9 oil and gas exploration deals have been signed with European or Asian companies. The Yadana and

Yetagun gas fields are where most of Burma's gas production comes from. However, the Shwe and Zawtika fields are anticipated to have a larger proportion of the production in the near future.

Telecommunications

With more than 60 million people, the telecommunications market in Burma is very attractive. Although entering this sector will require a large investment due to its current state, the companies looking to enter this market see excellent potential.

Potential obstacles are the fact that the Burmese people have a low purchasing power, and that the government may be slow allow private companies to enter the industry. The growth of mobile phone subscribers grew by around 18% in the last year to 690,000 subscribers. This number is expected to grow even faster in the near future. Currently, the government keeps the price of sim cards artificially high; however, there is increasing pressure to dramatically lower the price, from around \$250 for the cards, to potentially around \$5. Internet Users: 500,000, of those, number of those on Facebook: 200,000.

Pharmaceuticals

Renewable Energy

Shipping

Water Resource

Insurance

Metals

Freight Transport

Information Technology

Tourism

[Return to table of contents](#)

Chapter 5: Trade Regulations and Standards

- [Import Tariffs](#)
- [Trade Barriers](#)
- [Import Requirements and Documentation](#)
- [U.S. Export Controls](#)
- [Temporary Entry](#)
- [Labeling and Marking Requirements](#)
- [Prohibited and Restricted Imports](#)
- [Customs Regulations and Contact Information](#)
- [Standards](#)
- [Trade Agreements](#)
- [Web Resources](#)

Import Tariffs

[Return to top](#)

Burma follows the ASEAN System and Harmonized System of International Nomenclature. The government can levy three types of taxes on imports: import duties, commercial taxes, and license fees. After joining ASEAN in 1997, Burma took measures to comply with the ASEAN Common Effective Preferential Tariff Scheme (CEPT). Burma has begun to introduce the CEPT tariff reduction commitments, to be phased in by 2015. At present, tariffs range from zero to a maximum of 40 percent. Luxury items have the highest tariffs. Burmese tariffs on most industrial inputs, machinery, and spare parts average approximately 15 percent. The Customs Department bases its valuation on customs, insurance, and freight (CIF) value. For some commodities, the Customs Department uses its own reference guide to determine the value of imports. The guide lists prices in kyat based on the price of these goods in Burma, sometimes substantially lower or higher than their value outside Burma. Customs officials reportedly used varying kyat/dollar exchange rates to value imports for tax purposes.

The government levies:

- No commercial tax on 72 imported items, mostly staples (e.g., rice, sesame, garlic, cotton, live animals, coal, stamps, natural gas, oil, fish, prawns, etc).
- 0.5 percent commercial tax on imports of medicines. (Medicines are on the list of 5 percent commercial tax, but the Ministry of Finance and Revenue issued a notification to levy only 10 percent of the 5 percent official rate in June 2004.)
- 5 percent commercial tax on 58 imported items (e.g., tea leaves, pens, cotton thread, hand tools, hats, sporting goods, etc.)
- 10 percent commercial tax on 135 imported items (e.g., oil and lubricants, ice, condensed milk, bread, cake, food flavors, dying chemicals, industrial parts made of

rubber, teak logs, hardwood logs, silk thread, copper, lead, glass, optical frames, film, tires, garments, bicycles, household electrical appliances, etc.)

- 20 percent commercial tax on 91 imported items (e.g., cream, butter, toothbrushes, cement, ceramic goods, iron and steel sheets, minerals, toys, spare parts for motors, refined gold, etc.)
- 25 percent commercial tax on 55 imported items (e.g., canned food, coffee, teak mixed plywood, teak conversion, silk fabric, cameras, watches and clocks, furniture, safes, calculators, typewriters, photocopiers, radios, TVs, video cameras, electric fans, air-conditioners, musical instruments, computers and parts, etc.)
- 30 percent to 200 percent commercial tax on 19 imported items (e.g., cigarettes, liquor, wine, beer, pearls, jade and precious stones, etc.).

Businesses pay commercial taxes as follows:

- transportation (8 percent on total earnings received from passengers);
- entertainment: movies and video (30 percent of total earnings); other entertainment (15 percent);
- commodities trading (5 percent of total sales);
- hotel and motel (10 percent of total earnings);
- restaurant (10 percent of total sales);
- tourism, including tour guide business (5 percent on total earnings from tourists); (vii) car servicing (10 percent of total earnings);
- insurance, except life insurance (5 percent of total premium received).
- hair dressing services (5 percent of total income)
- ordinary printing or computerized printing services (5 percent of total income)

Trade Barriers

[Return to top](#)

Despite laws promulgated since 1988 to encourage foreign trade and investment, many cumbersome restrictions remain, including permits that are required for all imports and exports, and most other business activities. The national government's move to a new administrative capital in Nay Pyi Taw, 230 miles north of Rangoon, added further delays and expense to the approvals process. Frequent, arbitrary, unannounced, and unwritten policy changes make business very unpredictable. License issuing procedures are not transparent and provide multiple opportunities for graft. However, it became easier to obtain import and export licenses during the latter half of 2011. Licenses are now issued within two or three days.

A series of restrictive and ill-conceived trade policies which remain in place aid politically-connected companies, protect moribund state-owned enterprises, and capture scarce foreign exchange through import substitution. Legitimate commerce suffers and smuggling and black market trading continue to flourish, especially in the border areas. Many urban retailers stock imported items explicitly on the prohibited imports list, including "luxury" items, though the supply of such items is erratic.

The official exchange rate, which dramatically overvalues the currency, will remain a significant impediment to foreign trade and investment until its expected change sometime in 2012. Burma also lacks an active private financial sector and an independent central bank. Poor infrastructure is a major obstacle to distribution of goods and services.

The government creates disincentives for private exporters by charging export taxes. Until mid-2011, the rate was 10 percent (a combination of an 8 percent commercial tax plus 2 percent income tax). In July 2011, the government reduced the commercial tax on all exports items from 8 to 5 percent, and in August 2011 suspended the tax altogether for a six-month period on major agricultural exports: rice, pulses, sesame, corn, rubber, fisheries' products, and animal products. This temporary suspension has been extended for another six months, till August 14, 2012.

The government continues to maintain a list of controlled exports. All exports, controlled or otherwise, require a license from the Ministry of Commerce, although officials hint a relaxation of this restriction during 2012. Authorities make frequent amendments to the list of controlled exports, including temporary bans, with little or no advance notice. The government will make exceptions on a case-by-case basis for certain well-connected private entrepreneurs.

The state has a monopoly on legal exports of teak, petroleum, natural gas, gems, jade, and pearls, though it sometimes authorizes others to export these products. Relevant government ministries control export of these natural resources. The government no longer controls agricultural exports such as rice, beans and pulses, onions, and garlic. The GOB last restricted rice exports in 2010 in order to control domestic prices.

On August 29, 2011, the government lifted the export restriction on groundnuts and groundnut oil, red sesame, brown sesame and sesame oil. The remaining restricted items are mustard seed and mustard oil, sunflower seed and sunflower oil, gold, diamonds, crude oil, ivory, antique items, dried prawn bran for animal feed, and ammunition. The government currently allows private firms to export sawn teak wood. These firms must purchase teak logs directly from the government's timber parastatal organization, the Myanmar Timber Enterprise. SOEs and private companies may not export raw logs except with the express authorization of Myanmar Timber Enterprise.

Import Requirements and Documentation

[Return to top](#)

It is difficult to legally import many products into Burma, especially those deemed "luxury goods", as Burma still maintains a list of prohibited imports. Under its ASEAN commitments, Burma will have to eliminate all quantitative restrictions on imports. However, under current law (the "Control of Imports and Exports Act of 1947"), the government may require import and export licenses. In practice, the government requires import licenses issued by the Ministry of Commerce. The Trade Policy Council (TPC), which used to have the exclusive authority to approve all import and export permits, was abolished in March 2011 after the transfer of power to a civilian government. The authority to adjudicate all import and trade matters has reverted back to the Directorate of Trade under the Ministry of Commerce. Following this change, the issuance of permits, except for certain sensitive items such as gems, became much quicker, with turnaround times of two-three days in most cases.

The GOB relaxed its “export first” policy, which required an importer to show proof of having in a Burmese bank account foreign exchange earned from exporting (or purchased from an exporter) of equal or greater value than the value of desired imports in order to apply for an import license. However, since the Burmese currency, the kyat, is non-convertible, all imports must still be paid in foreign currency. In June 2010, the government lifted restrictions limiting the annual number of transfers of remittances to accounts in Burma, and allowed all foreign exchange earnings (including salaries of overseas Burmese workers) to be recorded as export earnings after payment of a 10 percent income tax to the government.

U.S. Export Controls

[Return to top](#)

Due to its poor human rights record and U.S. sanctions, Burma receives no multilateral financial assistance and the U.S. has suspended bilateral aid to the GOB (though the U.S. does provide assistance to the Burmese people through international and local non-governmental organizations). The United States does not offer GSP benefits or Commodity Credit Corporation credits to Burma. Presently, the U.S. Export-Import Bank do not offer financing, and OPIC does not offer insurance coverage for Burma. A range of executive branch and legislative sanctions prohibits certain Burmese individuals and entities, namely those in the highest ranks of the military and government, as well as their close associates, from receiving U.S. exports.

The U.S. government maintains a suspension of all licenses and other approvals to export/transfer defense articles or services to Burma under section 38 of the Arms Export Control Act (22 U.S.C. sec. 2778, as implemented by 22 C.F.R. 126.1).

Temporary Entry

[Return to top](#)

The government may allow temporary imports and exports for trade promotion or assembly purposes, with proper documentation from the Customs Department.

Labeling and Marking Requirements

[Return to top](#)

Certain images, such as those that display a Buddha image or the national flag, cannot be used on labels or trademarks.

Prohibited and Restricted Imports

[Return to top](#)

The Directorate of Trade oversees amendments to the Commerce Ministry’s list of prohibited imports. The list is published in trade bulletins and publications, but changes with little notice.

The government officially allowed the importation of five previously prohibited items (monosodium glutamate, assorted biscuits, soft drinks, canned food and instant noodles) on December 17, 2011. By early 2012, it appeared to have allowed the importation of the remaining 10 prohibited items, including fresh fruits, chewing gum, cake, wafers, chocolate, alcohol, beer, cigarettes, sugar, and

plastics, although there was no official announcement to this effect. However, many of these items were readily available in Burma during 2011, as importers were able to obtain licenses directly or indirectly despite the legal prohibition.

Customs Contact Information

[Return to top](#)

Director General
Customs Department
132 Strand Road, Yangon, Myanmar.
Tel: 95-1- 248-173, 95-1- 391-437

Standards

[Return to top](#)

- [Overview](#)
- [Standards Organizations](#)
- [Conformity Assessment](#)
- [Product Certification](#)
- [Accreditation](#)
- [Publication of Technical Regulations](#)
- [Labeling and Marking](#)

Overview

[Return to top](#)

Burma's standards system is from the British colonial era and is outdated, disorganized, and decentralized. For measurement, Burma uses a confusing combination of traditional Indian weights and measures (like *viss* and *tical*) as well as pounds and kilograms. Standards exist in many sectors (including pharmaceuticals, food safety, vehicle safety and emissions); however there are few standards for imported goods other than food and pharmaceuticals and there are no product safety regulations. Responsibility for drafting and enforcing various standards rests with myriad government departments. Burma became a member of the International Organization for Standardization (ISO) in 1957, withdrew in 1965, and on July 1, 2005, rejoined as a corresponding member. The Ministry of Science and Technology maintains a standards library with national and international standards references. However, the government limits access to its libraries and refuses to share most government information with private citizens or organizations.

Government agencies responsible for setting and enforcing standards are uniformly underfunded. Enforcement of standards is subject to the same corruption and inefficiency that plague other Burmese government operations. Burma's huge black market, filled with easily accessible counterfeit or unregistered products (particularly pharmaceuticals and motor vehicles) that are imported illegally from neighboring countries, exacerbates the problem.

As a member of ASEAN, Burma participates in the ASEAN Consultative Committee on Standards and Quality and is a signatory to the various ASEAN standards and regulatory harmonization agreements.

Standards Organizations

[Return to top](#)

Myriad government departments and quasi-government industry groups set and enforce standards for their particular areas of authority. The primary organizations are:

- The Myanmar Scientific & Technological Research Department, under the Ministry of Science and Technology, is the designated contact point for standardization issues.
- The Ministry of Health's Food and Drug Board of Authority (FDBA), oversees the national Food and Drug Administration (FDA) and its provincial and township affiliates. The FDBA and FDA are responsible for promulgating and enforcing regulations and standards in the food and pharmaceutical industries (including imports).
- The Ministry of Health's Public Health Department, alongside various city governments (or "Development Committees"), is responsible for licensing and enforcing hygiene standards at restaurants and street stalls.
- The government-controlled Myanmar Engineers Association, which has some private sector membership, is working on establishing building codes and standards (though they do not yet exist comprehensively).
- The Yangon City Development Committee (YCDC), Rangoon's municipal government, is responsible for establishing weights and measures used countrywide, and for enforcing violations of these standards.
- The Ministry of Rail Transportation's Road Transport Administration Department sets and enforces standards for motor vehicle safety and emissions (checked annually).
- The Ministry of Transport's Inland Water Transport Department sets and enforces standards for water vehicle safety and operation (spot checked).
- The GOB has never produced an annual plan of standards.

Conformity Assessment

[Return to top](#)

The Ministry of Health runs the National Health Laboratory and the affiliated Food Quality Control Laboratory and Drug Quality Control Laboratory. All labs are under-funded, poorly equipped, and troubled by corruption. Conformity assessments, as well as strict enforcements of standards, are used punitively against businesspeople who have fallen out of favor.

Product Certification

[Return to top](#)

Other than for foodstuffs and medicines, there are generally no requirements for product certification. There are no mutual recognition agreements (MRAs) with U.S. organizations. For

imports (and a small handful of domestically produced products of international quality), the GOB generally recognizes international product standard certification, as well as certification from standards organizations in the United States, Europe, and Japan. Due to rampant counterfeiting, the government does not accept product certification from neighboring countries, especially India, Thailand, and China. Burma does not yet have laws or regulations pertaining to Genetically Modified Organism (GMO) crops or seeds, which are currently imported without any restrictions. However, a draft law on food safety is under consideration by government.

Accreditation

[Return to top](#)

There is no national accreditation body in Burma.

Publication of Technical Regulations

[Return to top](#)

Laws and regulations are sometimes published in the gazette in the government-owned daily newspaper, *Myanma A'Lin* and its English version *The New Light of Myanmar*, *Burma Gazette* as well as in the Ministry of Commerce's *Trade News*. However, the government issues most new standards internally and does not publish them through any public media outlet. Producers and marketers must have contacts inside the government, or learn by trial and error, to ascertain what new standards have been released or when old standards are changed.

There is almost no opportunity for any company, foreign or domestic, to comment publicly on standards, although government officials occasionally informally consult directly with businesspersons or through trade bodies.

Labeling and Marking

[Return to top](#)

Respective industrial sectors issue guidelines, including labeling/marketing requirements for their products, in compliance with international or bilateral rules of origin.

There are few products for which domestic labeling and marking rules apply, though medicines and foodstuffs are two major exceptions. These products must be labeled with a license number (either from a GOB, international, or select third-country standards body) in order to be legally sold in Burma. Generally, foodstuffs and medicine also have production and expiry dates. Due to poor enforcement and rampant counterfeiting, these labels are often fake or missing, especially on imported pharmaceuticals.

Trade Agreements

[Return to top](#)

As a member of ASEAN, Burma is part of the ASEAN Free Trade Area (AFTA), ASEAN-China Free Trade Area, ASEAN-Australia-New Zealand Free Trade Area (AANZFTA), and ASEAN-India Free Trade Area. As one of ASEAN's least developed members, Burma has until 2015 to comply with

required tariff reductions. The Ministry of Finance claims to have implemented 80 percent of Burma's tariff reduction plan.

Burma is a member of the WTO and the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC).

Burma has a number of bilateral trade agreements, including with the Republic of Korea, China, Thailand, Bangladesh, India, Pakistan, Vietnam, Laos, Philippines, Malaysia and several Eastern European countries. Burma has border trade agreements with China, India, Bangladesh, Thailand, and Laos. The GOB has signed a number of Memoranda of Understanding to expand bilateral trade with those countries.

Web Resources

[Return to top](#)

- ASEAN Free Trade Area site: <http://www.aseansec.org/4920.htm>
- ASEAN-India Free Trade Area: <http://www.asean.org/22563.htm>, <http://www.asean-cn.org/default.aspx>
- ASEAN-China Free Trade Area: <http://www.asean.org/19105.htm>
- ASEAN-Australia-New Zealand Free Trade Area: <http://www.asean.fta.govt.nz/>
- BIMSTEC site: <http://www.bimstec.org/>

[Return to table of contents](#)

Chapter 6: Investment Climate

- [Openness to Foreign Investment](#)
- [Conversion and Transfer Policies](#)
- [Expropriation and Compensation](#)
- [Dispute Settlement](#)
- [Performance Requirements and Incentives](#)
- [Right to Private Ownership and Establishment](#)
- [Protection of Property Rights](#)
- [Transparency of Regulatory System](#)
- [Efficient Capital Markets and Portfolio Investment](#)
- [Political Violence](#)
- [Corruption](#)
- [Bilateral Investment Agreements](#)
- [OPIC and Other Investment Insurance Programs](#)
- [Labor](#)
- [Foreign-Trade Zones/Free Ports](#)
- [Foreign Direct Investment Statistics](#)

Openness to Foreign Investment

[Return to top](#)

Investment in Burma is governed by the Foreign Investment Law (FIL) enacted by the government on November 30, 1988. However, the GOB submitted a new draft FIL for Parliament's consideration in July 2012; the new law has undergone multiple revisions and is expected to be enacted during 2012.

The government's priorities for foreign investment, according to the 1988 FIL, are:

- promotion and expansion of exports;
- exploitation of natural resources that require significant investment;
- acquisition of high technology;
- support for production and services requiring large amount of capital;
- expansion of employment opportunities;
- development of facilities that would reduce energy consumption; and
- regional development.

According to the State-Owned Economic Enterprises Law, enacted in March 1989, state-owned enterprises have the sole right to carry out the following economic activities:

- extraction of teak and sale of the same in the country and abroad;
- cultivation and conservation of forest plantations, with the exception of village-owned firewood plantations cultivated by the villagers for their personal use;
- exploration, extraction, sale, and production of petroleum and natural gas;

- exploration, extraction, and export of pearls, jade, and precious stones;
- breeding and production of fish and prawns in fisheries that have been reserved for research by the government;
- postal and telecommunications services;
- air transport and railway transport services;
- banking and insurance services;
- broadcasting and television services;
- exploration, extraction, and exports of metals;
- electricity generating services, other than those permitted by law to private and cooperative electricity generating services; and
- manufacturing of products relating to security and defense.

The Myanmar Investment Commission (MIC), "in the interest of the State", can make exceptions to this law. The MIC has granted some exceptions including through joint ventures or special licenses in the areas of banking (for domestic investors only), mining, petroleum and natural gas extraction, telecommunications, radio and television broadcasting, and air transport services. As with all major political and economic decisions, this discretion lies solely with the Cabinet.

Contact information for the MIC:

Chairman

Myanma Investment Commission

Office No.32, Nay Pyi Taw

Myanmar

Tel: 067-406075, 067-406342

Contact: U Aung Naing Oo, Deputy Director General, Directorate of Investment and Company Administration (DICA)

Investment approvals are made on a case-by-case basis. Potential investors must work through the MIC. Interested foreign investors must submit proposals through the MIC, which obtains the final approval from U Soe Thein, Chairman of the MIC and Union Minister of Industry.

Although the MIC has no power to protect foreign companies, there is no evidence that the MIC overtly discriminates against foreign investors. Bureaucratic red tape, arbitrary regulation changes, and endemic government corruption, however, continue to pose serious obstacles for all potential investors. Foreigners who invest in local companies or through nominees have no legal standing to enforce their rights.

Once licensed, foreign firms may, in theory, use their permits to obtain resident visas, lease cars and real estate, and obtain new import and export licenses from the Ministry of Commerce.

Import and export licenses are strictly controlled. Companies without earnings from exports ("export earnings" in local terminology) must purchase "export dollars" from another firm at an inflated exchange rate to pay for imports. Some companies fraudulently transfer money between the accounts of export revenue earners to facilitate this process. Companies can also use account transfers from Burmese workers in foreign countries to facilitate exports. The government continued to tax overseas remittances at a rate of 10 percent during 2011, which

led many overseas workers to remit their money home through informal money transfer networks (aka the "hundi" system).

The FIL allows FDI in a wholly foreign-owned venture or a joint venture (JV) with a Burmese partner (either private or state-owned). The FIL requires that at least 35 percent of equity capital in all JVs and partnerships be foreign-owned. The minimum foreign investment required in practice, though not specified in the law, is \$500,000 for manufacturing investments and \$300,000 for services in cash or in kind. These minimum amounts include cash-on-hand requirements in foreign currency.

In June 2006, the Ministry of Finance and Revenue issued a notification for levying tax on profits gained by transferring assets of companies conducting business in oil and gas sector at the following rates:

Profit Tax rate

(a) up to US\$100 million	40%
(b) Between US\$100 and \$150 million	45%
(c) Over US\$150 million	50%

These tax rates remained the same in 2011.

For other businesses, the government abolished the separate profit tax, first introduced in 1976, on September 30, 2011 with effect from the beginning of the 2011 fiscal year. The top income and corporate tax rates are 30 percent.

The Burmese armed forces are involved in many commercial activities via the Union of Myanmar Economic Holdings, Ltd. (UMEHL) and the Myanmar Economic Corporation (MEC). To set up a joint venture, foreign firms have in the past reported that an affiliation with UMEHL or MEC proves useful to help them receive the proper business permits. Nonetheless, entering into business with UMEHL or MEC does not guarantee success for foreign partners. Some investors report that their Burmese military partners can make unreasonable demands, provide no cost-sharing, and sometimes muscle out the foreign investor after an investment becomes profitable.

In November 2005, the government moved Burma's administrative capital to the newly-constructed town of Nay Pyi Taw, located in a remote valley about 230 miles north of Rangoon. All official transactions, including import/export licenses, must be approved in Nay Pyi Taw. Although the majority of import/export procedures have not changed, the time required for obtaining licenses has decreased from approximately two weeks to 2-3 days for most items. Since 2010 most exports permits have been issued in Rangoon; Import permits are issued in both Nay Pyi Taw and Rangoon, with wait times ranging from approximately 2-3 days in most cases to a maximum of one week in some cases.

Independent evaluations of the Burmese economic climate:

<u>Year</u>	<u>Measure</u>	<u>Rank</u>
2011	Transparency International	180/182
2012	Heritage Economic Freedom Index	173/179
2011	Fraser Institute Economic Freedom Index	140/141 (2009 data)
2011	World Bank Doing Business Index	Not ranked

Conversion and Transfer Policies

[Return to top](#)

According to the FIL, investors in Burma have a guarantee that they can repatriate profits after paying taxes. The law also provides that, upon expiry of the term of the contract, the investor can receive the amount to which he or she is entitled in the foreign currency in which the investment was made. The GOB also issued a formal notification on September 30, 2011 amending and elaborating the provisions regarding the use of foreign exchange with the MIC's approval, presumably in anticipation of its later inclusion in the new draft FIL.

In past years, foreign investors have encountered difficulties in legally transferring their net profits abroad. Companies generally unload their kyat earnings as quickly as possible.

Burma's foreign exchange rate system and transfer policies are in a state of transition. Until now, Burma's multiple exchange rates and currencies make conversion and repatriation of foreign exchange very complex and ripe for corruption. The official rate remains grossly overvalued at approximately 6 kyat to the dollar. The unofficial market exchange rate as of the end of 2011 was approximately 800-805 kyat to U.S. \$1. The government also issues Foreign Exchange Certificates (FEC) which are nominally valued at \$1=1FEC. The government requires foreign companies to use dollars or Foreign Exchange Certificates (FEC) to pay rental charges and utility and telephone bills. FEC are nominally valued at \$1=1FEC and trade at rates close to the prevailing kyat/dollar rate.

However, beginning October 1, 2011 the Central Bank of Myanmar (CBM) authorized 11 banks to open retail counters and to exchange foreign currency (U.S. \$, Singapore \$, Euro) and FEC at approximately the prevailing market rates. Since then, FEC rates have remained approximately the same as the kyat market rates for U.S. \$. Bank officials and observers cited this as a first step towards reforming the exchange rate system and allowing non-state banks to resume international banking operations. In February 2012, the CBM also authorized the same 11 banks to begin conducting foreign currency transactions for current account holders and to resume international banking operations as early as April. However, the specific rules and regulations as well as timeline for these changes remain unclear. Previously in Burma, only three state banks -- the Myanma Foreign Trade Bank (MFTB), the Myanma Investment and Commercial Bank (MICB), and the Myanma Economic Bank (MEB) —were legally permitted to handle foreign exchange transactions. In practice, the MFTB and MICB have handled most of these transactions. The MFTB primarily handles foreign currency transactions for government organizations, businesses, and private individuals, while the MICB primarily serves companies and joint ventures. Till now, only MEB has officially been allowed to handle foreign currency transactions in the border regions.

There are expectations that during 2012 the GOB – with advice from the IMF – will move to a new, managed floating rate that is closer to the prevailing market rate at approximately kyat 800 to U.S. \$1, as well as phase out use of the FEC.

U.S. government restrictions imposed in 2003 on the provision of financial services to Burma severely disrupted the legal foreign trading system in Burma, which had long been primarily dollar-denominated. Those restrictions were suspended in July 2012. Interested parties should refer to the U.S. Treasury Office of Foreign Assets Control for guidance on financial services.

Expropriation and Compensation

[Return to top](#)

The FIL provides a guarantee against nationalization during the "permitted period" of investment. However, in the past, the GOB has forced a number of foreign firms in various sectors to leave the country because it did not honor the terms and conditions of investment agreements. The last such cases took place in the early 2000s.

Aside from the possibility of outright expropriation by the GOB, private businesses have been subject to predatory practices by government-linked cronies. Given the absence of rule of law in the country and the pervasive and powerful system of patronage, larger and more well-connected entities are able to muscle out smaller competitors by denying access to markets, forcing the sale of assets, or otherwise disrupting business operations.

Dispute Settlement

[Return to top](#)

Private and foreign companies suffer major disadvantages in disputes with GOB and quasi-governmental entities. Foreign investors generally prefer to use the 1944 Arbitration Act, which allows for international arbitration. The Burmese government usually tries to stipulate local arbitration in all contracts it signs with foreign investors. The regime closely controls the entire legal system in Burma. Courts are neither independent nor impartial, so local arbitration is not reliable. Companies facing adverse administrative decisions have no recourse. Burma is not a member of the International Center for the Settlement of Investment Disputes, nor is it a party to the New York Convention.

The Attorney General's Office and the Supreme Court ostensibly control the legal system in Burma, but neither body is independent of the ruling regime. Burmese criminal and civil laws are modeled on British law introduced during the colonial period, which ended in 1948. Every township, state, and division has its own law officers and judges. Following the transfer of power to a civilian government in March 2011, the regional military commanders and military authorities at the township, state, and divisional level no longer have supreme de facto authority over judicial decisions at the local and state/division level, although they still wield considerable influence that varies from region to region.

There is no bankruptcy law in Burma.

Foreign companies have the right to bring cases to and defend themselves in local courts. As the government controls all courts tightly, foreign investors involved in conflicts with the government may not receive compensation.

Performance Requirements and Incentives

[Return to top](#)

Officially, companies covered under the FIL are entitled to a tax holiday for a period of three consecutive years subsequent to their initial investment. Under the FIL, the Myanmar Investment Commission can extend this tax holiday. The new draft FIL, once enacted, is expected to formally extend the tax-exemption period from three years to five years or even as much as eight years. At the MIC's discretion, investors are also eligible for a number of other incentives, including: accelerated depreciation of capital assets, a waiver of customs duties and taxes on imported machinery and spare parts during the period of construction, or a waiver of duties on imported raw materials during the first three years of commercial production.

Although the MIC issues the permission, the Cabinet makes final decisions on these incentives and extensions.

There are no official performance requirements for new foreign investors in Burma, but the government does require investors to purchase local machinery and insurance (fire, marine, and personal liability). Unofficially, before approving an investment, the government often requires companies to commit to a certain level of exports. There is no evidence that the GOB has taken any action against firms that do not meet their initial export targets.

There is no requirement under the 1988 FIL that foreign investors buy or hire from local sources. However, the new FIL, once enacted, may introduce some requirements related to local employment. Technology transfer is not generally a pre-requisite for investment.

Any enterprise operating under the FIL or the Myanmar Companies Act must pay income tax at a 30 percent tax rate. Withholding tax on royalties and interest is 15 percent for resident foreigners and 20 percent for non-resident foreigners. Tax collection in Burma is, in practice, extremely lax, but foreign investors are an easy target for cash-strapped tax authorities. The Burmese fiscal year ends March 31; tax returns are due by June 30.

Right to Private Ownership and Establishment

[Return to top](#)

By law, foreigners may not purchase and own land or condominiums in Burma, and – until September 2011 – could only rent property on a short-term basis, with leases typically limited to one year. However, on September 30, 2011, the GOB issued a formal notification amending and elaborating the provisions regarding utilization of land under the FIL, presumably in anticipation of their later inclusion in the new draft FIL. Under the new provisions, foreign investors may, depending on the type and value of investment, lease land for a period of up to 30 years and renewable for a further two 15-year periods, with the permission of the MIC.

A private entity can establish, buy, sell, and own a business only with the review and approval of the MIC.

Most real estate transactions in Burma require cash, although banks have begun limited introduction of a consumer lending product that resembles a mortgage loan. Regular bank loans are difficult to obtain and are not available directly to foreigners.

Protection of Property Rights

[Return to top](#)

Burma does not have adequate IPR protection. Patent, trademark, and copyright laws and regulations are all deficient in regulation and enforcement. After Burma joined ASEAN in 1997, it agreed to modernize its intellectual property laws in accordance with the ASEAN Framework Agreement on Intellectual Property Cooperation. A Committee for IPR Implementation, established in July 2004, has worked toward approval of a new law, with assistance from the World Intellectual Property Organization. The GOB has completed the draft of the new IPR law, but has not yet submitted it to Parliament for approval. The World Trade Organization (WTO) has delayed required implementation of the TRIPS Agreement for Least Developed Nations until 2013.

The registration of patents and designs in Burma is still governed by the Indian Patents and Designs Act of 1911, enacted under British colonial rule.

The piracy of music CDs, video CDs, CD-ROMS, DVDs, books, software, and product designs is evident nationwide, especially in border regions and in the two major urban centers of Rangoon and Mandalay. Most consumers of IT products in Burma, both in the private sector and in government, use pirated software. Given the small number of local customers, poor state of the economy, and lack of infrastructure (e.g., unreliable electricity for manufacturing), piracy does not have a significant adverse impact on U.S. products.

Burma has no trademark law, although trademark registration is possible. Some firms place caution notices in local newspapers to declare ownership of their trademarks. After publication, the owners can take criminal and/or civil action against trademark infringers. Title to a trademark depends on use of the trademark in connection with goods sold in Burma. The British colonial government published a Copyright Act in 1914, but neither the colonial government nor the GOB ever instituted a means to register copyrights. Thus, there is no legal protection in Burma for foreign copyrights.

Transparency of Regulatory System

[Return to top](#)

Burma lacks regulatory and legal transparency. All existing regulations, including those covering foreign investment, import-export procedures, licensing, and foreign exchange, are subject to change with no advance or written notice by the GOB. The country's decision-makers appear strongly influenced by their desire to support state-owned enterprises and the needs of the military-controlled Myanmar Economic Corporation and Myanmar Economic Holdings, Ltd. Wealthy and well-connected cronies are still often able to avail of preferential treatment but are no longer automatically guaranteed success. The government regularly issues new regulations with no advance notice and little if any opportunity for review or comment by domestic or foreign market participants. The GOB infrequently publishes its new regulations and regulatory changes, often communicating new rules verbally to interested parties and sometimes refusing

to follow up in writing. The government occasionally publishes selected new regulations and laws in the government-run daily newspaper, "The New Light of Myanmar," as well as in "The Burma Gazette."

Burma's written health, environmental, tax, and labor laws do not impose a major burden on investment. However, the unpredictable nature of the regulatory and legal situation – and irregular enforcement of existing laws -- makes investment in Burma extremely challenging without good and well-connected local legal advice. See the Preface and Openness to Foreign Investment section for further details of the legal and regulatory system.

Efficient Capital Markets and Portfolio Investment

[Return to top](#)

Burma has no true equity or debt markets, and the average citizen does not have portfolio investments. Burmese authorities have stated in the past that the existence of capital markets is essential for the development of a well-functioning financial system, and the Myanmar Economic Bank (MEB) and Japan's Daiwa Institute of Research Co. Ltd. established a joint venture – the Myanma Security Exchange Centre Ltd. – to set up a limited stock exchange. However, the exchange is moribund, with only two listed companies, a small forestry joint venture and Myanma Economic Bank. A few Burmese companies sell bonds privately on a very small scale. Private companies, whether foreign or domestically controlled, are generally small in size. Usually, a small number of people or entities, often within the same family, closely hold the business shares. There is no securities law, although draft legislation is being considered within the government.

Following a major banking crisis in 2003, the monetary authorities imposed numerous restrictions that since limited the size and growth of the domestic banking sector. These limited banks' ability to accept deposits and extend loans, expand their network of branches, and offer anything beyond basic banking services. The crisis did not seriously affect state-owned banks and partially state-owned banks. Although some banks closed, other private banks resumed operations in 2004 with limited functions. Onerous government restrictions made it impossible for the largest private banks to take in many new deposits or to extend significant new loans, and limited the maximum amount clients can withdraw each week. As a result, the banking sector remains rudimentary despite recent changes. Private banks' deposits and loans only reached pre-crisis levels in 2007, and the total of private banks' deposits only amounted to about five percent of GDP by March 2011. Official restrictions maintained stability in the financial system, but at the expense of the development of the banking sector. Formal financial intermediation is low by regional standards and has yet to regain pre-crisis levels.

Since August 2011, the CBM has taken small steps to ease restrictions on the banking sector. It eased restrictions on bank deposits, reduced interest rates (which remain fixed by the CBM), allowed banks to introduce new products, expanded types of collateral beyond immoveable assets, and permitted the introduction of ATMs. Work has begun on a payments system that would also allow the use of debit cards. Beginning October 1, 2011 the CBM authorized 11 banks to open retail counters and to exchange foreign currency (U.S. \$, Singapore \$, Euro) and FEC at approximately the prevailing market rates. Bank officials and observers cited this as a first step towards reforming the exchange rate system and allowing non-state banks to resume international banking operations. There are expectations that during 2012 the GOB – with

advice from the IMF – will move to a new, managed floating rate that is closer to the prevailing market rate at approximately kyat 800 to U.S. \$1.

On August 1, 2011, the Government allowed four new private banks to open: Asia Green Development Bank, Ayeyawaddy Bank, United Amara Bank and Myanmar Shay Saung (or Myanmar Apex) Bank, bringing the total number of banks operating in Burma to 19 – 10 are fully private and nine are quasi-state or “semi-private” banks. Three of the four banks (Asia Green Development Bank, Ayeyawaddy Bank, Amara Bank and Myanmar Apex Bank) are owned by individuals on the U.S. Treasury Department’s Specially Designated Nationals (SDN) list. Four domestic banks are currently in the process of seeking approval to open branches in Thailand, Singapore and Malaysia.

In February 2012, the CBM also authorized the same 11 banks to begin conducting foreign currency transactions for current account holders and to resume international banking operations as early as April. However, the specific rules and regulations as well as timeline for these changes remain unclear.

Foreign firms do not have access to bank loans, since the banks require collateral of land or real estate, neither of which foreigners can own in Burma. Since late 2011, the government has allowed the use of some exportable crops (rice, beans and pulses), bank deposits and gold as collateral, a practice that had been forbidden since mid-2002. Loans in kyat are available for local companies and individuals from state and private banks. Effective January 1, 2012, the GOB further reduced its fixed minimum deposit interest rate from 10 to 8 percent (it was reduced from 12 percent in September 2011), and its fixed maximum lending interest rate from 15 to 13 percent (it was reduced from 17 percent in September 2011). However, the quasi-government banks are regularly asked to bankroll the regime's pet projects and personal requirements, and as a result may still have a large percentage of non-performing loans.

As of January 2012, IMF staff estimated the 2011/12 inflation rate at 4.2 percent, down from 7.5 percent in 2010/11, but expected it to rise to an estimated 5.8 percent in 2012/13.

The government is increasingly financing its deficit by issuing treasury bonds that are sold locally to Burmese banks. Although Burmese banks are mandated by the government to purchase a minimum amount of bonds, some banks have begun purchasing more than their imposed requirements as they view bond options, which carry a 9 percent interest rate for three year bonds and 9.5 percent interest rate for five year bonds, as a relatively positive investment. The GOB began selling two year bonds with an interest rate of 8.75 percent beginning on January 1, 2012.

In April 2004, the U.S. Treasury Department prohibited U.S. banks from doing business with Burmese banks or their overseas branches because of ongoing concerns of money laundering in Burma, specifically at Asia Wealth Bank (at one time Burma's largest private bank) and Myanmar Mayflower Bank. The GOB revoked the licenses of these two banks in March 2005 and, in August, closed a third bank suspected of laundering money, the Myanmar Universal Bank, for violations of the Financial Institutions Act. Because of the recent easing of sanctions, U.S. companies are urged to consult with the U.S. Treasury Office of Foreign Assets Control on new rules and exceptions.

The inter-governmental Financial Action Task Force (FATF) removed Myanmar from its list of Non-Cooperative Countries and Territories in October 2006 in recognition of GOB efforts to better enforce its anti-money laundering regime, but advised the government to enhance regulation of the financial sector, including the securities industry. FATF continued to monitor Burma's progress on anti-money laundering in 2011.

A 1990 banking law permitted foreign banks to open representative offices to serve as trade and commercial liaisons for local and foreign clients in Burma, but they were not allowed to conduct business for the local market. After 1990, 49 foreign banks set up offices in Burma. However, for a variety of reasons, including the 1997-1998 Asian financial crisis, the local business climate, and the lack of liberalization of the Burmese banking sector, only 16 authorized foreign banks retain a presence in Burma. Until the recent easing of sanctions, under U.S. law, U.S. persons and institutions may not provide financial services to Burma unless pursuant to an allowed U.S. export or otherwise licensed by OFAC. Please check with the OFAC website for new rules.

There are no international accounting firms in Burma. In 2004, in the absence of a government policy, the Myanmar Accountants Council issued its own standard accounting system – the Myanmar Accounting Standards -- based very closely on International Accounting Standards (IAS).

Competition from State-Owned Enterprises

[Return to top](#)

Private enterprises do not compete on the same terms and conditions as SOEs. The GOB reserves for SOEs many lucrative sectors and sectors deemed sensitive. Corporate governance of SOEs is not transparent, and they are not required by law to publicly release annual reports. Many observers judge Burmese SOEs to be inefficient and not likely to be able to compete with the private sector, especially foreign companies, on a level playing field. Burma does not have a sovereign wealth fund. The government privatized dozens of enterprises and real estate properties in 2010 and 2011, however, and additional tenders for the sale or lease of SOEs and properties are expected during 2012 and 2013.

Political Violence

[Return to top](#)

Burma's recent past has been marked by political violence, but with the inauguration of the nominally civilian government in March 2011 and registration of the National League for Democracy as a political party in December 2011, political violence has substantially decreased. Burma experienced major political unrest in 1988, when the previous military regime seized power and jailed and killed an undetermined number of Burmese citizens. In 1990, the military government refused to recognize the results of a parliamentary election overwhelmingly won by the pro-democracy opposition. Burma also experienced major student demonstrations in 1996, and other demonstrations occurred in August and September of 1998. In May 2003, government-affiliated thugs ambushed a convoy carrying pro-democracy opposition leader Aung San Suu Kyi in northwest Burma, killing or wounding dozens of pro-democracy activists.

Political unrest continued in August-September 2007. Following a sharp increase in fuel prices in August, pro-democracy groups began a series of peaceful demonstrations to protest the

deteriorating economic situation in Burma. The regime immediately responded by arbitrarily detaining over 150 pro-democracy activists. As popular dissatisfaction spread, Buddhist monks began leading peaceful marches. In September 2007, security forces violently broke up demonstrations by monks resulting in injuries and triggering calls for a nationwide response and a government apology. Monks, joined by ordinary citizens, conducted peaceful protests in several cities throughout the country, culminating in a gathering of approximately 10,000 protestors in Rangoon.

In late September 2007, the regime violently cracked down, shooting, beating and arbitrarily detaining thousands of monks, pro-democracy activists, and onlookers in Rangoon. Government security forces killed at least 30 demonstrators. In retribution for leading protest marches, monks were arrested and disrobed, and several monasteries were raided, ransacked, and closed. In addition to the more than 1,100 political prisoners whose arrests predate the September 2007 crackdown, hundreds more were detained in 2007-2008 due to their participation in the protests.

In April 2005, a bomb exploded in a market in Mandalay, killing three civilians. In May 2005, three bombs exploded simultaneously in central Rangoon commercial areas, killing at least 23 civilians. No individuals or groups claimed responsibility and, since the attacks, the government has not revealed any results of an investigation or offered credible evidence about the perpetrators. There have been several small explosions in Rangoon and other Burmese cities as recently as December 2011 with few fatalities, and authorities regularly claim to discover such devices at various locations throughout Burma. In most cases, no groups claim responsibility and no one is arrested after the bombings.

For decades, there has been anti-government insurgent activity in various locations, particularly near Burma's borders. These areas have seen sporadic fighting between government forces and insurgent groups throughout the past 50 years. Continued violence in border regions dominated by ethnic-minority groups remains a distinct possibility.

Corruption

[Return to top](#)

Corruption is endemic in Burma. Many economists and businesspeople consider corruption the most serious barrier to investment and commerce in Burma. Due to a complex and capricious regulatory environment and extremely low government salaries, rent-seeking activities are ubiquitous. From the smallest transactions to the largest, little can be accomplished without paying bribes. In its 2011 Corruption Perceptions Index, Transparency International rated Burma third worst in the world (after North Korea and Somalia).

Since 1948, corruption is officially a crime that can carry a jail term. However, in the past, Burma's former ruling generals applied the anti-corruption statute only when they wanted to take action against a rival or an official who has become an embarrassment. Under the nominally civilian government which was inaugurated in March 2011, President Thein Sein has declared the government's intention to crack down on corruption, but few concrete measures have yet been taken. In 2006, authorities arrested over 300 Customs officials, charging them with corruption, and during 2011 several military officers were investigated and punished for ostensibly corruption-related charges. Most citizens view corruption as a normal practice and

requirement for survival. The major areas where investors run into corruption are when seeking investment permission, in the taxation process, when applying for import and export licenses, and when negotiating land and real estate leases.

Bilateral Investment Agreements

[Return to top](#)

Burma has signed several bilateral investment agreements, also known as "Protection and Promotion of Investment" agreements, with the Philippines, China, Laos, Vietnam, and Thailand. These agreements have had little impact on enhancing incoming investment from other countries in the region. Investment treaty discussions are still underway with Singapore, and Japan began discussions with Burma in 2012 on a bilateral investment protection treaty.

OPIC and Other Investment Insurance Programs

[Return to top](#)

Due to U.S. law, OPIC programs are not available for Burma. Burma is not a member of the World Bank's Multilateral Investment Guarantee Agency (MIGA).

Labor

[Return to top](#)

In 1989, the United States withdrew Burma's eligibility for benefits under the Generalized System of Preferences (GSP) due to the absence of internationally recognized worker rights. Independent labor unions are illegal in Burma. Workers are not allowed to organize, negotiate, or in any other legal way exercise control over their working conditions. In some instances workers have gained minor benefits through direct work actions, especially for wage increases at private enterprises following a significant pay increase for civil servants in April 2006.

Although government regulations set a minimum employment age, wage rate, and maximum work hours, managers do not uniformly observe these regulations, especially in the private sector. In 2009, the Ministry of Finance and Revenue set the minimum wage at 1000 kyat (roughly \$1.23) per day. The Ministry of Finance and Revenue raised government salaries on January 1, 2010 but did not revise the minimum wage for other workers. An average worker in Burma earns about 1500 kyat (roughly \$1.84) per day, although this amount can be more or less depending on the type of work and whether it is in urban or rural areas.

The GOB often uses forced labor in its construction and commercial enterprises and for portage and military building. These labor practices are inconsistent with Burma's obligations under ILO Conventions 29 and 87. The ILO imposed sanctions against Burma in 2000 and has critically reviewed the forced labor situation in Burma at subsequent ILO Conferences and Governing Body meetings. In 2006 and 2007, the ILO Governing Board raised the possibility of bringing Burma to the International Court of Justice for its refusal to address forced labor. The ILO continues to work with the Burmese Government on forced labor issues under the Supplementary Understanding on Forced Labor which was signed in February 2007 and renewed in January, 2012. The United States strongly supports ILO activities in Burma.

Burma's labor costs are very low, even when compared to most of its Southeast Asian neighbors. Older Burmese, particularly those over 65 years of age, are generally well-educated, but the lack of investment in education by the GOB and the repeated closing of Burmese universities over the past 20 years have taken a toll on the country's young. Skilled labor and managerial staff are in high demand and short supply, leading to high turnover. Most in the 15-39 year old demographic group lack technical skills and English proficiency. Many older educated Burmese studied English in mission schools during the British colonial and early independence period. The military nationalized schools in 1964 and discouraged the teaching of English in favor of Burmese.

The unemployment rate in 2011 was an estimated 5.5 percent. However, the government does not publish any unemployment figures. Anecdotal evidence and recent divestment by many foreign companies indicate a very high level of unemployment and underemployment in formal, non-agricultural sectors.

Foreign-Trade Zones/Free Port

[Return to top](#)

The government has set aside 19 "industrial zones," large tracts of land surrounding Rangoon, Mandalay, and other major cities. These areas are, however, merely zoned for industrial use. They do not come with any special services or investment incentives. The GOB has developed a draft industrial zone law, which has not yet been publicly released.

There are three Special Economic Zones (SEZs) in Burma. Two (one in Dawei in Tanintharyi Division, and one at Kyauk Phyu off the western coast of Rakhine State) are being developed as deep sea ports. Kyauk Phyu and especially Dawei are at the very early stages of development. The third is the Thilawa SEZ on the outskirts of Rangoon, and which already hosts port facilities that can accommodate larger vessels and container throughput than can the inner ports of Rangoon.

Burma enacted a Special Economic Zone (SEZ) Law in January 2011. The SEZ Law includes the following incentives for investors:

- (a) Investors may apply for income tax exemption on the proceeds of export sales for the first five years from the day of commencement of production or service;
- (b) Investors may apply for fifty percent relief on income tax rate stipulated under existing Law for the second five years on proceeds from export sales; and
- (c) For the third five-year period, if the profits obtained from export sales are re-invested, the investor may apply for fifty percent relief on the income tax rate stipulated under existing Law on the invested profits.

Shortly after enacting the SEZ Law, the GOB also enacted separate laws for the Dawei SEZ in the southeastern Tanintharyi Division (near the border with Thailand) which appear to substantially mirror the SEZ Law. In addition to the the Dawei SEZ, which contains the proposed Dawei Deep Sea Port project, is currently one of three officially designated SEZ in Burma. Thailand-based Italian-Thai Development Public Company Limited (ITD) is the project developer. The two other

incipient SEZs are Thilawa (near Rangoon) and Kyauk Phyu in Rakhine State on the western coast of Burma.

Dawei Development Company Ltd.: <http://daweidevelopment.com/>

Foreign Direct Investment Statistics

[Return to top](#)

Investment figures compiled by the Burmese government include only investments approved by the Myanmar Investment Commission, only a fraction of which go forward. No statistics exist as to disinvestment. The figures do not appear to include many small and medium Chinese investments.

Based on available data, at the end of December 2011, cumulative foreign direct investment approved by the MIC totaled 456 projects, valued at \$40.4 billion. This is 26.5 percent higher than the cumulative total listed at the end of November 2010, US\$ 31.95 billion.

According to the latest GOB statistics, FDI approvals for Burmese FY 2010-2011 (April-March) totaled \$19997.968 million, compared with FDI approvals of \$329.580 million in FY 2009-2010. Major sources of FY2010-2011- proposed investments include China (\$8269 in Energy), Hong Kong (\$5798.277 million in Mining, Manufacturing and Energy), Thailand (\$2945.000 in Power), and Korea (\$2675.40 million in Agriculture, Manufacture, Mining and Energy)

The vast majority of approved new investment since 1997 has come from Asian countries. Western countries have largely stayed away from the Burmese market, largely due to the abysmal investment climate, including an absence of rule of law, economic mismanagement, and endemic corruption. Also serving to block foreign investment are economic sanctions levied by a number of Western governments including Australia, the United Kingdom, the European Union, and the United States. There has been no new U.S. investment since 1997 when the U.S. government imposed an investment ban.

According to GOB statistics for 2011, in stock terms, the United States is the ninth largest foreign investor in Burma, with 15 approved projects totaling \$244 million. All such investments occurred prior to the 1997 imposition of U.S. sanctions and were grandfathered under the law. Pre-May 1997 U.S. investments are largely concentrated in oil and natural gas exploration.

Major non-U.S. foreign investors in Burma are concentrated in resource extraction and include: Petronas (Malaysia), Total (France), PTTEP (Thailand), Shin Satellite (Thailand), Keppel Land (Singapore), Daewoo (South Korea), China National Construction and Agricultural Machinery Import and Export Co. (PRC), Gas Authority of India Ltd. (GAIL) (India), CNPC (PRC) and the China International Trust and Investment Corporation (PRC).

Government statistics do not report external investments made by Burmese companies. However, there is anecdotal information that some wealthy Burmese individuals and small family businesses have made investments in China and in neighboring ASEAN countries.

FOREIGN INVESTMENT APPROVALS
AS OF 12/30/2011
BY SECTOR
(Millions of US Dollars)

Sector	No. of Approved No.	Approved Amt
Power	5	18873.720
Oil and Gas	104	13815.375
Mining	64	2794.463
Manufacturing	160	1753.951
Hotels and Tourism	45	1064.811
Real Estate	119	1056.453
Livestock/Fisheries	25	324.358
Transport/Comms	16	313.906
Industrial Estates	3	193.113
Agriculture	7	173.101
Construction	2	37.767
Other Services	6	23.686
Total	456	40424.704

CUMULATIVE FOREIGN INVESTMENT APPROVALS
AS OF 12/30/2011
BY COUNTRY
(Millions of US Dollars)

SR#	No. Country	No. of Projects	Approved Amount
1	China	33	13947.146
2	Thailand	61	9568.093
3	Hong Kong	38	6308.495
4	Republic of Korea	47	2938.857
5	U.K*	51	2660.588
6	Singapore	72	1804.013
7	Malaysia	39	977.461
8	France	2	469.000
9	U.S.A	15	243.565
10	Indonesia	12	241.497
11	The Netherlands	5	238.835
12	Japan	22	211.902
13	India	5	189.000
14	Philippines	2	146.667
15	Russia Federation	2	94.000

16	Australia	14	82.080
17	Austria	2	72.500
18	United Arab Emirates	1	41.000
19	Canada	14	39.781
20	Mauritius	2	30.575
21	Panama	1	29.101
22	Vietnam	2	23.649
23	Germany	2	17.500
24	Denmark	1	13.370
25	Cyprus	1	5.250
26	Macau	2	4.400
27	Switzerland	1	3.382
28	Bangladesh	2	2.957
29	Israel	1	2.400
30	Brunei Darussalam	1	2.040
31	Sri Lanka	1	1.000
Total		456	40424.704

*Inclusive of enterprises incorporated in British Virgin Islands, Bermuda, and the Cayman Islands.

[Return to table of contents](#)

[Return to table of contents](#)

Chapter 7: Trade and Project Financing

- [How Do I Get Paid \(Methods of Payment\)](#)
- [How Does the Banking System Operate](#)
- [Foreign-Exchange Controls](#)
- [U.S. Banks and Local Correspondent Banks](#)
- [Project Financing](#)
- [Web Resources](#)

How Do I Get Paid (Methods of Payment)

[Return to top](#)

Previously in Burma, only three state banks -- the Myanmar Foreign Trade Bank (MFTB), the Myanmar Investment and Commercial Bank (MICB), and the Myanmar Economic Bank (MEB) — were legally permitted to handle foreign exchange transactions. In practice, the MFTB and MICB have handled most of these transactions. The MFTB primarily handles foreign currency transactions for government organizations, businesses, and private individuals, while the MICB primarily serves companies and joint ventures. Till now, only MEB has officially been allowed to handle foreign currency transactions in the border regions. Faced with chronic hard currency shortages, and required to fulfill the financial demands of the then-military regime as a priority, foreign exchange banks in Burma were often slow to pay on a letter of credit. Additionally, the government charges an automatic 10 percent tax on all deposits of foreign exchange which decreased to 2% in August 2011 temporarily.

The state-owned banks that handle foreign currency and trade offer letters of credit (L/Cs), primarily in Euros after a 2003 U.S. ban on the transfer of financial services to Burma. Since August 2003, MFTB and MICB refuse telegraphic transfer settlement for imports. MFTB and MICB only allow L/C payment for importing goods, and banks charge in Euros for trade facilitation transactions.

However, beginning October 1, 2011 the Central Bank of Myanmar (CBM) authorized 11 banks to open retail counters and to exchange foreign currency (U.S. \$, Singapore \$, Euro) and FEC at approximately the prevailing market rates. Since then, FEC exchange rates have remained approximately the same as the kyat market rates for U.S. \$. Bank officials and observers cited this as a first step towards reforming the exchange rate system and allowing non-state banks to resume international banking operations. In February 2012, the CBM also authorized the same 11 banks to begin conducting foreign currency transactions for current account holders and to resume international banking operations as early as April. However, the specific rules and regulations, as well as the timeline for these changes, remain unclear.

There are expectations that during 2012 the GOB – with advice from the IMF – will move to a new, managed floating rate that is closer to the prevailing market rate at approximately kyat 800 to U.S. \$1.

Still, to avoid the inefficient and expensive state banks, and due to continuing wariness about the private banks, many traders continue to settle their transactions wholly or partially through the

informal and unregulated money transfer system known as the "hundi" system for domestic and international remittances.

How Does the Banking System Operate

[Return to top](#)

Burma's 1990 banking law permits foreign banks to open branches in Burma, but not to conduct business in the local market. These offices may serve as a trade and commerce liaisons for local and foreign clients. For a variety of reasons, including the 1997 Asian financial crisis, the local business climate, and the lack of liberalization of the banking sector, many of the original 49 foreign banks that opened as a result of this law have since left Burma or closed their offices while retaining their licenses. Until the easing of sanctions, under U.S. law, it was illegal for U.S. persons or entities to provide financial services to Burma unless they were incidental to a legal U.S. export. U.S. businesses are urged to consult with the U.S. Treasury Office of Foreign Assets Control regarding new rules governing financial services.

The financial sector in Burma is undeveloped, characterized by a weak private sector, poor regulation, and a large unregulated informal component. Consumer confidence in the banking system is very low. Interest rates, set by the government, are 8 percent for deposits and 13 percent for loans effective on January 1, 2012. The inter-governmental Financial Action Task Force removed Burma from its list of Non-Cooperative Countries and Territories in October 2006 in response to better enforcement of Burma's anti-money laundering regime, but advised the Burmese government to enhance regulation of the financial sector, including the securities industry. FATF continues to monitor Burma's progress on anti-money laundering. A money laundering law required banks to report to the government all suspicious deposits, withdrawals, and transfers, and all transactions of 100 million kyat (about \$100,000).

U.S. Treasury regulations, pursuant to Section 311 of the 2001 USA PATRIOT Act, prohibit any U.S. financial institution from establishing or maintaining any correspondent account for, or on behalf of other Burmese financial institutions, except in special cases. This prohibition extends to any correspondent account maintained by a U.S. financial institution for any foreign bank, if the foreign bank uses the account to provide a Burmese financial institution indirect access to the U.S. financial system.

Following the 2003 banking crisis, the monetary authorities imposed numerous restrictions that since limited the size and growth of the domestic banking sector. These limited banks' ability to accept deposits and extend loans, expand their network of branches, and offer anything beyond basic banking services. The crisis did not seriously affect state-owned banks and partially state-owned banks. Although some banks closed, other private banks resumed operations in 2004 with limited functions. Onerous government restrictions made it impossible for the largest private banks to take in many new deposits or to extend significant new loans, and limited the maximum amount clients could withdraw each week. As a result, the banking sector remains rudimentary despite recent changes. Private banks' deposits and loans only reached pre-crisis levels in 2007, and the total of private banks' deposits only amounted to about five percent of GDP by March 2011. Official restrictions maintained stability in the financial system, but at the expense of the development of the banking sector. Formal financial intermediation is low by regional standards and has yet to regain pre-crisis levels.

Since August 2011, the CBM has taken small steps to ease restrictions on the banking sector. It eased restrictions on bank deposits, reduced interest rates (which remain fixed by the CBM), allowed banks to introduce new products, expanded types of collateral beyond immovable assets, and permitted the introduction of ATMs. Work has begun on a payments system that would also allow the use of debit cards.

On August 1, 2011, the Government allowed four new private banks to open: Asia Green Development Bank, Ayeyawaddy Bank, United Amara Bank and Myanmar Shay Saung (or Myanmar Apex) Bank, bringing the total number of banks operating in Burma to 19 – 10 are fully private and nine are quasi-state or “semi-private” banks. Three of the four banks (Asia Green Development Bank, Ayeyawaddy Bank, Amara Bank and Myanmar Apex Bank) are owned by individuals on the U.S. Treasury Department’s Specially Designated Nationals (SDN) list. Four domestic banks are currently in the process of seeking approval to open branches in Thailand, Singapore and Malaysia.

Private customers are wary of the public banking system. The Central Bank, controlled by the Ministry of Finance, finances public debt through the issuance of three-month treasury bills, 2-year, 3-year and 5-year bonds, and regulates lending, interest rates, and reserve requirements.

State-owned banks include MEB, the MICB, MFTB, and the Myanmar Agriculture Development Bank (MADB). The Innwa Bank and the Myawaddy Bank are ostensibly private, but their ownership includes the military parastatals Myanmar Economic Corporation (MEC) and Union of Myanmar Economic Holdings, Ltd. (UMEHL), respectively.

As of January 31, 2012, the correspondent accounts of MEB, MFTB, and MICB in the United States remain frozen, along with all of their other assets and property. Foreigners are generally prevented from borrowing money from banks, as non-Burmese may not own property, the primary source of local collateral.

Foreign-Exchange Controls

[Return to top](#)

The Burmese currency, the kyat, is not convertible and is artificially pegged to the IMF's Special Drawing Right (SDR). This overvalues the currency significantly at approximately kyat 6 per U.S. dollar. Until a U.S. financial services ban took effect in July 2003, international trade was almost exclusively conducted in U.S. dollars. Now, L/C trade is conducted in Euros or Singapore dollars (converted to U.S. dollars by most end users). Currently, the majority of border traders use U.S. dollars, Euros, Thai Baht, or Chinese Yuan and operate outside the formal banking system.

Beginning October 1, 2011 the CBM authorized 11 banks to open retail counters and to exchange foreign currency (U.S. \$, Singapore \$, Euro) and FEC at approximately the prevailing market rates. Bank officials and observers cited this as a first step towards reforming the exchange rate system and allowing non-state banks to resume international banking operations. There are expectations that during 2012 the GOB – with advice from the IMF – will move to a new, managed floating rate that is closer to the prevailing market rate at approximately kyat 800 to U.S. \$1.

U.S. Banks and Local Correspondent Banks

[Return to top](#)

There are no U.S. banks in Burma. Until the easing of sanctions under U.S. law, it was illegal for a U.S. person to provide any financial services to Burma unless it is incidental to an authorized U.S. export. U.S. businesses are urged to consult with the U.S. Treasury Office of Foreign Assets Control for guidance. Burmese banks are in the process of trying to establish correspondent banking accounts with banks in other Southeast Asian countries during 2012.

Project Financing

[Return to top](#)

Following the military government's violent suppression of a pro-democracy uprising in 1988, most multilateral and bilateral donors, including the U.S., suspended assistance to the government. Until recently, the United States opposed loans and financial assistance to Burma by international financial institutions (IFIs). None of the IFIs currently has an office in Rangoon, although the World Bank and ADB are considering reopening offices. Neither the U.S. Export-Import Bank nor OPIC offer services in Burma.

The Thai, Chinese, and Indian governments provide significant concessional loans, primarily in the form of suppliers' credit. The Bank for Investment and Development of Vietnam has established an office in Rangoon with a \$3 billion financing facility.

Web Resources

[Return to top](#)

U.S. Treasury Department's Office of Foreign Assets Control:
<http://www.ustreas.gov/offices/enforcement/ofac/>

U.S. Treasury Department's Office of Terrorism and Financial Intelligence:
<http://www.ustreas.gov/offices/enforcement/>

Financial Action Task Force: <http://www.fatf-gafi.org/>

Export-Import Bank of the United States: <http://www.exim.gov>

Country Limitation Schedule: http://www.exim.gov/tools/country/country_limits.html

OPIC: <http://www.opic.gov>

Trade and Development Agency: <http://www.tda.gov/>

SBA's Office of International Trade: <http://www.sba.gov/oit/>

USDA Commodity Credit Corporation: <http://www.fsa.usda.gov/cc/default.htm>

U.S. Agency for International Development: <http://www.usaid.gov>

Asian Development Bank: <http://www.adb.org/>

[Return to table of contents](#)

Chapter 8: Business Travel

- [Business Customs](#)
- [Travel Advisory](#)
- [Visa Requirements](#)
- [Telecommunications](#)
- [Transportation](#)
- [Language](#)
- [Health](#)
- [Local Time, Business Hours and Holidays](#)
- [Temporary Entry of Materials and Personal Belongings](#)
- [Web Resources](#)

Business Customs

[Return to top](#)

There are few specific etiquette rules for business contacts. However, it is appropriate for a visitor to wear business attire for official meetings and contract signing ceremonies. Burmese expect to exchange business cards at first meetings. Gifts are not required, though there is a custom of gift exchange at meetings with senior government officials.

Travel Advisory

[Return to top](#)

U.S. citizens traveling in Burma should exercise caution and check with the U.S. Embassy for an update on the current security situation. U.S. citizens are encouraged to carry their U.S. passports or photocopies of passport data and visa pages at all times so that if questioned by Burmese officials, they have proof of U.S. citizenship readily available. Americans in Burma should avoid crowded public places, including shopping areas, malls and markets, demonstrations, large public gatherings, and any area cordoned off by security forces.

In the past, U.S. citizens have been detained, arrested, tried, and deported for, among other activities, distributing pro-democracy literature and visiting the homes and offices of Burmese pro-democracy leaders. Since the transition of power to a nominally civilian government in March 2011, however, the risk of government reprisal for engaging in pro-democracy activities has greatly diminished. Nevertheless, taking photographs of anything that could be perceived as being of military or security interest may still result in problems with authorities. Should an emergency arise involving the detention of a U.S. citizen, especially outside of Rangoon, it may be difficult for U.S. Embassy personnel to assist quickly, because travel inside Burma can be slow and difficult. Burmese authorities also do not routinely notify the U.S. Embassy of the arrest of American citizens, and the Burmese government has obstructed access by consular officers to American citizen detainees.

Government security personnel may at times place foreign visitors under surveillance. Hotel rooms, telephones, and fax machines may be monitored, and personal possessions in hotel rooms may be searched.

Burmese law prohibits acquisition of another nationality. Burmese authorities require former Burmese citizens to surrender their Burmese nationality upon acquisition of U.S. citizenship.

Please see the most recent Country Specific Information sheet for [Burma \(Myanmar\)](#) at http://travel.state.gov/travel/cis_pa_tw/cis/cis_1077.html For the latest security information, Americans traveling abroad should regularly monitor the [Department of State, Bureau of Consular Affairs Internet site](#) at <http://travel.state.gov>, where the current [Travel Warnings and Travel Alerts](#), including the [Worldwide Caution Travel Alert](#), can be found. Up-to-date information on safety and security can also be obtained by calling 1-888-407-4747 toll free in the U.S. and Canada, or for callers outside the U.S. and Canada, a regular toll-line at 1-202-501-4444. These numbers are available from 8:00a.m. to 8:00p.m. Eastern Time, Monday through Friday (except for U.S. federal holidays). The Department of State urges American citizens to take responsibility for their own personal security while traveling overseas. For general information about appropriate measures travelers can take to protect themselves in an overseas environment, see the Department of State's pamphlet [A Safe Trip Abroad](#).

Visa Requirements

[Return to top](#)

The Government of Burma strictly controls travel to and within Burma. A passport and visa are required for all travelers entering the country. The application process for business visas varies and can be lengthy. The validity of tourist visas varies. Transit visas are valid for only 24 hours. Children over seven years and listed in the passport of a parent must hold separate visas. In the past, visas were rarely granted to foreign journalists although the situation has improved following the transfer of power to a civilian government in March 2011.

Travelers who over-stay their valid visa are required to pay a fine of \$3/day upon departure at the Airport Immigration Office. After 30 days of over-stay, the fee increases to \$5/day.

Information about entry requirements as well as other information may be obtained from the Embassy of the Union of Myanmar, 2300 S Street, NW, Washington, DC 20008, telephone: 202-332-3344/4350, website: www.mewashingtondc.com, or the Permanent Mission of Myanmar to the UN, 10 East 77th Street, New York, NY 10021, telephone: 212-535-1311. Overseas inquiries may be made at the nearest Embassy or Consulate of Burma (Myanmar).

U.S. companies that require travel of Burmese businesspersons to the United States should note that visa bans apply to certain individuals and that clearance of some visa applicants can take considerable time.

State Department Visa Website: <http://travel.state.gov/visa/index.html>

United States Visas.gov: <http://www.unitedstatesvisas.gov/>

Consular Section, Embassy Rangoon: <http://rangoon.usembassy.gov/wwwh-passports.html>

Burma's outdated communications systems are a serious impediment to conducting routine business activities as well as to general economic development. Regime authorities regularly monitor communications. The switching systems for Burma's land lines are improving but are still inadequate, particularly outside Rangoon and Mandalay. GSM and CDMA cell phone service, although very unreliable, is available in Rangoon, Mandalay, Bagan, and surrounding areas. Text messaging is available, but likely monitored.

The government allows internet access with limited censorship. The state-owned Myanmar Teleport, Yatanarpon Teleport and Myanmar Post and Telecom (MPT) are the primary Internet Service Providers in Burma. The privately owned RedLink Communications and Sky Net services comprise a small but growing share of the ISP market. The companies offer email and dial-up, broadband, ADSL, WiMAX and satellite Internet services, generally at very slow speeds. These services are available to all, but are prohibitively expensive for most Burmese, with initial activation and set-up fees starting at no less than \$600 for non-dial-up service. However, Internet surfing fees have fallen to kyat 300-400 (less than \$0.50 per hour. The number of Internet cafes in Rangoon and Mandalay has increased exponentially since 2003. An estimated two percent of the population uses the internet, although there were approximately only 40,000 paying ISP subscribers at the end of 2011. Wireless connections are available in limited locations in Rangoon and Mandalay and other major towns and cities. For example, the initial fee for the installation of ADSL by Myanmar Post and Telecommunications is kyat 600,000 (\$736), with an annual fee of kyat 50,000 (\$61) and monthly packages starting at kyat 30,000 (\$37).

CDMA phones have been available in limited supplies since 1996, and the government began to sell a limited number of GSM phones in 2001. By the end of 2010, state-owned Myanmar Post and Telecommunications sold more than 3.5 million GSM phones for a price of 1.55 million kyat each (then about \$1,550) to well-connected buyers. The price of permanent SIM cards dropped to kyat 500,000 during 2011 (approximately \$613) and were expected to drop further to kyat 300,000 (\$368) in early 2012. Roaming services are now available for the customers of some Chinese, Thai and Vietnamese mobile services providers. Since 2010, the government has also allowed some private companies to sell prepaid SIM cards for kyat 10,000, kyat 20,000 and kyat 30,000. However, these prepaid phone numbers expire and must be replaced every month.

In 2010, the cost of local landline phone calls increased from kyat 15/minute to kyat 30/minute for national subscribers and \$0.15 for foreign residents billed in USD, and the cost of GSM cell phone calls increased from kyat 25/minute to kyat 50/minute (\$0.30 for resident foreigner subscribers). International phone calls are considerably more expensive and reportedly among the most expensive calling rates in the world, costing \$4.50 per minute for calls to the United States and Canada.

Air Asia, Air Bagan, Air China, Air India, Air Mandalay, Bangkok Airways, China Southern Airlines, Malaysia Airlines, Myanmar Airways International (MAI), Silk Air (a subsidiary of Singapore Air), Thai Airways, and Vietnam Airlines operate out of Rangoon's Mingaladon International Airport. China

Eastern Airlines flies to Kunming from Mandalay. Direct service from Rangoon is available to Bangkok, Beijing, Chiang Mai, Gaya (India), Guangzhou, Hanoi, Kolkata, Kuala Lumpur, Kunming, Seoul, and Singapore.

Domestic carriers Air Mandalay, Yangon Airways, Air Kanbawza, Asian Wings and Air Bagan, and state-owned Myanmar Airways, provide air service within Burma. Due to safety concerns regarding Myanmar Airways, including three fatal air crashes in the late 1990s, the U.S. Embassy advises its employees to avoid travel on this carrier whenever possible.

Road travel is possible along certain routes, but there is no roadside emergency support and gasoline is rarely available outside of major cities. Travel in Burma can be dangerous as roads are often narrow and in extremely poor condition, particularly during the May-October rainy season. Government permission is required for foreigners to travel by road in many areas. Rail travel is also possible in some areas, though it is very slow and the quality of the tracks is generally poor.

Language

[Return to top](#)

Burmese (Myanmar) is the official language all over Burma, though languages of the various non-Burman ethnic groups are widely spoken in those groups' home regions. International businesspeople in Rangoon and Mandalay speak some degree of English, but English is not widely spoken outside main urban areas. Chinese is widely spoken in Mandalay, Rangoon, and in major trade hubs near the China-Burma border. Thai is widely spoken in major trade hubs on the Thai-Burma border.

Health

[Return to top](#)

Water is not potable, and only bottled water should be consumed. Visitors should avoid unpasteurized dairy products and uncooked or undercooked meat and vegetables. Visitors should consult their physician or local health authorities for a list of recommended immunizations prior to arrival. Dengue Fever is the prominent, year-round health concern. Avoidance of mosquito bites through the use of mosquito repellent and the wearing of protective clothing is the only way to prevent this illness. Although malaria is not a problem in urban Rangoon, malaria prophylaxis should be taken if traveling to some parts of the country. Medical facilities in Burma are inadequate for even routine medical care, and a sufficient supply of personal prescription and over-the-counter medications should be hand-carried. Doctors and hospitals often expect immediate cash payment for health services, and U.S. medical insurance is not always valid outside the United States.

Information on vaccinations and other health precautions may be obtained from the Centers for Disease Control and Prevention's hotline for international travelers at 1-877-FYI-TRIP (1-877-394-8747); fax: 1-888-CDC-FAXX (1-888-232-3299); or via their Internet site at <http://www.cdc.gov/>.

Local Time, Business Hours, and Holidays

[Return to top](#)

Burma is 6.5 hours ahead of Greenwich Mean Time. Burma does not observe Daylight Savings Time.

Business hours are not uniform. Most private and government offices close on Saturday and Sunday, though shops are usually open six or seven days a week. Most government employees do not report to their desks until after 9:30 am.

Public Holidays (2012)

January 4 (Independence Day)
February 12 (Union Day)
March 2 (Peasants' Day)
March 7 (Tabaung Full Moon Day)
March 27 (Armed Forces' Day)
April 11-19 (Water Festival)
April 20 (Burmese New Year)
May 1 (Workers' Day or May Day)
August 2 (Full moon of Waso/Beginning of Buddhist Lent)
July 19 (Martyrs' Day)
October 30 (Thadingyut Full Moon Day)
November 28 (Tasaung Taing Full Moon Day)
December 8 (National Day)
December 25 (Christmas)

The government schedules Muslim and Hindu religious holidays on short notice on the basis of lunar sightings.

Temporary Entry of Materials and Personal Belongings

[Return to top](#)

The government strictly enforces restrictive Customs regulations. Personal baggage is subject to search and x-ray scanning upon arrival and departure. Travelers must declare all valuables, including cameras, radios, tape recorders, and notable amounts of electronic gadgets and jewelry upon entry, and must pay full Customs duty on any item left behind in the country for any reason (including loss or theft). Burmese law does not limit the amount of foreign currency that can be brought into Burma, but any amount over \$2,000 must be declared on the customs and currency declaration form. Departing tourists who declared over \$2,000 on arrival must have receipts for all items purchased in Burma, and the amounts of their purchases must tally with the amount of foreign currency exchanged for kyat or Foreign Exchange Certificates (FEC). Travelers may not bring kyat in questionable amount into Burma or take it out of the country.

Authorities often also check the passports of foreign travelers at domestic arrivals and departures.

With very few specific exceptions, it is illegal to import any Burmese-produced product into the United States, even as part of hand-carried luggage or personal effects.

Credit cards cannot be easily used in Burma as virtually no business is able to process credit card transactions. MasterCard ended its operations in Burma in August 1998, and in 2003 Visa and American Express announced they would no longer provide service to Burma. Though some domestic banks began operating ATM machines in late 2011, they are not connected to any international networks and will not work with cards issued outside of Burma. Visitors should pay close attention to bring crisp new unfolded bills.

[Return to table of contents](#)

Chapter 9: Contacts, Market Research, and Trade Events

- [Contacts](#)
- [Market Research](#)
- [Trade Events](#)

Contacts

[Return to top](#)

- Economic/Commercial Officer at the U.S. Embassy Rangoon: Machut Shishak
ShishakMA@state.gov
- Regional Foreign Commercial Service Office at the U.S. Embassy Bangkok: Michael McGee Michael.mcgee@trade.gov <http://www.export.gov/thailand>
- Office of Foreign Assets Control, Department of Treasury, Washington, DC:
<http://www.ustreas.gov/offices/enforcement/ofac>
- Consular Section at the U.S. Embassy Rangoon: consularrangoon@state.gov
- Burmese Government ministries website: <http://www.myanmar.com/Ministry>
- There are no independent trade associations in Burma. There are many government-affiliated chambers of commerce that fall under the umbrella of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI):
<http://www.umfcci.com.mm/>
- There is no American Chamber of Commerce in Burma.

Trade Events

[Return to top](#)

Please click on the link below for information on upcoming trade events.

- <http://export.gov/thailand/doingbusinessinthailand/doingbusinessinburma/upcomingevents/index.asp>
- <http://www.export.gov/tradeevents/index.asp>

[Return to table of contents](#)

Chapter 10: Guide to Our Services

Due to current U.S. regulations, neither the U.S. Embassy Rangoon nor the Foreign Commercial Service provides investment facilitation services for Burma. The Embassy provides some assistance to U.S. companies seeking to export products to Burma.

U.S. exporters seeking general export information/assistance or country-specific commercial information should consult with their nearest **Export Assistance Center** or the **U.S. Department of Commerce's Trade Information Center** at **(800) USA-TRADE**, or go to the following website: <http://www.export.gov>

To the best of our knowledge, the information contained in this report is accurate as of the date published. However, **The Department of Commerce** does not take responsibility for actions readers may take based on the information contained herein. Readers should always conduct their own due diligence before entering into business ventures or other commercial arrangements. **The Department of Commerce** can assist companies in these endeavors.